

By: Metcalf

H.J.R. No. 42

A JOINT RESOLUTION

1 proposing a constitutional amendment regarding the limitation on
2 the rate of growth of appropriations.

3 BE IT RESOLVED BY THE LEGISLATURE OF THE STATE OF TEXAS:

4 SECTION 1. Section 22, Article VIII, Texas Constitution, is
5 amended to read as follows:

6 Sec. 22. (a) The amount [~~In no biennium shall the rate of~~
7 ~~growth~~] of appropriations from state tax revenues not dedicated by
8 this constitution for a state fiscal biennium may not exceed the
9 amount determined in accordance with Subsection (c) of this section
10 and general law.

11 (b) The rate of growth of appropriations from state tax
12 revenues not dedicated by this constitution from one state fiscal
13 biennium to the next state fiscal biennium may not exceed the lesser
14 of the following rates:

15 (1) a rate equal to the sum of the estimated rates of:
16 (A) increase or decrease in the state's
17 population during the current state fiscal biennium; and
18 (B) monetary inflation or deflation in the state
19 during the current state fiscal biennium; or

20 (2) the estimated rate of growth of the state's
21 economy.

22 (c) The amount of appropriations from state tax revenues not
23 dedicated by this constitution for the next state fiscal biennium
24 may not exceed an amount determined by multiplying the amount of

1 appropriations for the current state fiscal biennium by the sum of
2 one plus the lesser of the rates described by Subsection (b) of this
3 section. If the lesser of the rates described by Subsection (b) is
4 a negative number, the amount of appropriations from state tax
5 revenues not dedicated by this constitution for the next state
6 fiscal biennium may not exceed the amount of appropriations from
7 those revenues in the current state fiscal biennium reduced by the
8 product of that amount and the additive inverse of that negative
9 number.

10 (d) The legislature shall provide by general law procedures
11 to implement this section [~~subsection~~].

12 (e) [~~(b)~~] If the legislature, by adoption of a resolution
13 approved by a record vote of a majority of the members of each
14 house, finds that an emergency exists and identifies the nature of
15 the emergency, the legislature may provide for appropriations in
16 excess of the amount of appropriations authorized under [~~by~~]
17 Subsection (c) [~~(a)~~] of this section. The excess authorized under
18 this subsection may not exceed the amount specified in the
19 resolution.

20 (f) [~~(c)~~] In no case shall appropriations exceed revenues
21 as provided in Section 49a, Article III, [~~Section 49a~~] of this
22 constitution. Nothing in this section shall be construed to alter,
23 amend, or repeal Section 49a, Article III, [~~Section 49a~~] of this
24 constitution.

25 SECTION 2. The following temporary provision is added to
26 the Texas Constitution:

27 TEMPORARY PROVISION. The constitutional amendment proposed

1 by the 85th Legislature, Regular Session, 2017, regarding the
2 limitation on the rate of growth of appropriations applies
3 beginning with the state fiscal biennium beginning September 1,
4 2019. This temporary provision expires September 1, 2021.

5 SECTION 3. This proposed constitutional amendment shall be
6 submitted to the voters at an election to be held November 7, 2017.
7 The ballot shall be printed to permit voting for or against the
8 proposition: "The constitutional amendment regarding the
9 limitation on the rate of growth of appropriations."