

By: Perry

S.J.R. No. 58

A JOINT RESOLUTION

1 proposing a constitutional amendment to set aside money from the  
2 economic stabilization fund to pay for certain state infrastructure  
3 projects and to create a state infrastructure endowment fund for  
4 funding certain costs of those projects.

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

6 SECTION 1. Article XVI, Texas Constitution, is amended by  
7 adding Section 76 to read as follows:

8 Sec. 76. (a) The state infrastructure endowment fund is  
9 created as a fund to be held outside of the state treasury and  
10 administered by the comptroller of public accounts as trustee for  
11 the purpose of paying the costs of state infrastructure as provided  
12 by this section.

13 (b) Notwithstanding Subsection (a) of this section, the  
14 comptroller of public accounts may transfer the state  
15 infrastructure endowment fund and the comptroller's duties as  
16 trustee to a special purpose trust company that, as provided by  
17 general law, is incorporated by the comptroller.

18 (c) Money transferred to the credit of the state  
19 infrastructure endowment fund and interest or other earnings on  
20 that money may be used only to:

21 (1) make payments of principal or interest on state  
22 general obligation bonds the proceeds of which were used to pay for  
23 projects to repair, renovate, rehabilitate, or construct state  
24 infrastructure other than transportation infrastructure; or

1           (2) make payments under a credit agreement or bond  
2 enhancement agreement related to bonds described by Subdivision (1)  
3 of this subsection.

4           (d) As soon as practicable after the effective date of this  
5 section, the comptroller of public accounts shall transfer from the  
6 economic stabilization fund to the credit of the state  
7 infrastructure endowment fund the amount of \$1 billion. For the  
8 purposes of Section 22, Article VIII, of this constitution, the  
9 transfer made under this subsection to the state infrastructure  
10 endowment fund is not an appropriation of state tax revenues. This  
11 subsection expires September 1, 2018.

12           (e) The trustee of the state infrastructure endowment fund,  
13 without the necessity of a legislative appropriation, may apply  
14 available money from the fund toward payments described by  
15 Subsection (c) of this section. The trustee may enter into bond  
16 enhancement agreements to provide additional security for general  
17 obligation bonds or revenue bonds the proceeds of which are used to  
18 finance state infrastructure projects other than transportation  
19 infrastructure projects. Bond enhancement agreements must be  
20 payable solely from available money from the state infrastructure  
21 endowment fund. The bond enhancement agreements may not exceed an  
22 amount that can be fully supported by the state infrastructure  
23 endowment fund. A bond enhancement agreement entered into under  
24 this subsection may not provide for a duty to make a payment under  
25 the agreement so as to constitute a constitutional state debt  
26 payable from general revenues of the state.

27           (f) This section is self-executing, however the legislature

1 by general law may provide for criteria or procedures for the  
2 trustee to use in determining the use of the state infrastructure  
3 endowment fund's resources.

4           SECTION 2. This proposed constitutional amendment shall be  
5 submitted to the voters at an election to be held November 7, 2017.  
6 The ballot shall be printed to permit voting for or against the  
7 proposition: "The constitutional amendment to set aside an amount  
8 of money from the economic stabilization fund as dedicated to pay  
9 for certain state infrastructure projects and to create a state  
10 infrastructure endowment fund outside of the state treasury for  
11 funding certain costs of those projects."