By:  Leach, et al. (Senate Sponsor - Fallon, et al.) H.J.R. No. 38

(In the Senate - Received from the House May 10, 2019; May 13, 2019, read first time and referred to Committee on Finance; May 17, 2019, reported favorably by the following vote: Yeas 12, Nays 2; May 17, 2019, sent to printer.)

COMMITTEE VOTE

                    Yea Nay Absent  PNV

Nelson               X

Hinojosa             X

Bettencourt          X

Birdwell             X

Campbell             X

Flores               X

Hancock              X

Huffman              X

Kolkhorst            X

Nichols              X

Perry                X

Taylor               X

Watson                   X

West                     X

Whitmire                       X

HOUSE JOINT RESOLUTION

proposing a constitutional amendment prohibiting the imposition of an individual income tax.

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

SECTION 1.  Section 1(c), Article VIII, Texas Constitution, is amended to read as follows:

(c)  The Legislature may provide for the taxation of intangible property and may also impose occupation taxes, both upon natural persons and upon corporations, other than municipal, doing any business in this State. The Legislature [~~Subject to the restrictions of Section 24 of this article, it~~] may also tax incomes of [~~both natural persons and~~] corporations other than municipal. Persons engaged in mechanical and agricultural pursuits shall never be required to pay an occupation tax.

SECTION 2.  Article VIII, Texas Constitution, is amended by adding Section 24-a to read as follows:

Sec. 24-a.  The legislature may not impose a tax on the net incomes of individuals, including an individual's share of partnership and unincorporated association income.

SECTION 3.  Section 24, Article VIII, Texas Constitution, is repealed.

SECTION 4.  This proposed constitutional amendment shall be submitted to the voters at an election to be held November 5, 2019. The ballot shall be printed to permit voting for or against the proposition: "The constitutional amendment prohibiting the imposition of an individual income tax, including a tax on an individual's share of partnership and unincorporated association income."

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