86R14978 JES-D

By:  Dutton H.J.R. No. 106

A JOINT RESOLUTION

proposing a constitutional amendment requiring the periodic review of state and local tax preferences and the expiration of certain tax preferences if not reauthorized by law.

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

SECTION 1.  Article VIII, Texas Constitution, is amended by adding Section 27 to read as follows:

Sec. 27.  (a) The legislature by general law shall:

(1)  require the periodic review of state and local tax preferences;

(2)  define the term "tax preference" for the purposes of this section; and

(3)  prescribe the methods, timing, and administrative procedures for implementing the requirements of this subsection.

(b)  Unless reauthorized by law, a tax preference that first takes effect on or after September 1, 2020, or a tax preference that takes effect before September 1, 2020, and that is reauthorized by law on or after that date, expires six years after the date the law enacting or reauthorizing the tax preference takes effect, except that the legislature may provide for an earlier expiration date.

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

TEMPORARY PROVISION. (a) This temporary provision applies to the constitutional amendment proposed by the 86th Legislature, Regular Session, 2019, requiring the legislature to provide for a periodic review of state and local tax preferences and providing for the expiration of certain tax preferences six years after the effective dates of the laws enacting or reauthorizing the preferences, or at another time prescribed by the legislature, unless reauthorized by law.

(b)  Section 27, Article VIII, of this constitution, as added by the amendment, takes effect January 1, 2020.

(c)  This temporary provision expires January 2, 2020.

SECTION 3.  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 requiring the legislature to provide for a periodic review of state and local tax preferences and providing for the expiration of certain tax preferences after six years, or at another time prescribed by the legislature, unless reauthorized by law."