86R242 CJC-D

By:  Cain H.J.R. No. 138

A JOINT RESOLUTION

proposing a constitutional amendment regarding limits on the rate of growth of spending by the state and certain political subdivisions of the state.

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

SECTION 1.  Article VIII, Texas Constitution, is amended by amending Section 22 and adding Section 22-a to read as follows:

Sec. 22.  (a) The [~~In no biennium shall the~~] rate of growth of appropriations from state tax revenues not dedicated by this constitution may not for any state fiscal biennium exceed the estimated rate of growth of this state's population, adjusted by the estimated rate of monetary inflation in this state [~~the state's economy~~]. The legislature shall provide by general law procedures to implement this subsection.

(b)  If the legislature by adoption of a resolution approved by a record vote of a majority of the members of each house finds that an emergency exists and identifies the nature of the emergency, the legislature may provide for appropriations in excess of the amount authorized by Subsection (a) of this section. The excess amount authorized under this subsection may not exceed the amount specified in the resolution.

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

Sec. 22-a.  (a) Unless additional expenditures are authorized by a majority of the political subdivision's voters voting at an election called for that purpose, the rate of growth of a political subdivision's total expenditures from all available sources of revenue in a fiscal year may not exceed the estimated rate of growth of this state's population, adjusted by the estimated rate of monetary inflation in this state.

(b)  This section does not apply to a political subdivision that does not impose taxes or incur debt.

(c)  The legislature by general law shall provide procedures to implement this section.

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, regarding limits on the rate of growth of spending by the state and certain political subdivisions of the state.

(b)  The amendments to Section 22, Article VIII, of this constitution apply only in relation to appropriations made for a state fiscal biennium beginning on or after September 1, 2021.

(c)  Section 22-a, Article VIII, of this constitution takes effect January 1, 2020, and applies only to a fiscal year of a political subdivision beginning on or after that date.

(d)  This temporary provision expires January 1, 2022.

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 provide for voting for or against the proposition: "The constitutional amendment regarding limits on the rate of growth of spending by the state and certain political subdivisions of the state."