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H.J.R. No. 5

A JOINT RESOLUTION

1 proposing a constitutional amendment providing for the dedication
2 of certain sales and use tax revenue to the Texas mental and
3 behavioral health research fund established to fund research,
4 treatment, and access to services in this state for behavioral
5 health, mental health, and substance use and addiction issues.

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

7 SECTION 1. Article III, Texas Constitution, is amended by
8 adding Section 68 to read as follows:

9 Sec. 68. The Texas mental and behavioral health research
10 fund is established in the state treasury and consists of money
11 transferred or deposited to the fund as provided by Section 7-c,
12 Article VIII, of this constitution, appropriations made to the fund
13 by the legislature, and all interest, dividends, and other income
14 of the fund. Money from the fund may be used as provided by general
15 law for the purpose of funding programs:

16 (1) to research behavioral health issues generally,
17 including causes of behavioral health issues, public health trends
18 and strategies regarding behavioral health issues, and new
19 behavioral health treatments, interventions, and other solutions;

20 (2) to research substance use and addiction issues,
21 including genetic determinates of addiction, identification of and
22 mitigation of substance use and addiction risk factors, addiction
23 recovery, pain management strategies, and prescription practices;

24 (3) to research behavioral health and mental health

1 issues affecting children and adolescents, including unidentified
2 and untreated mental illness, involvement in the juvenile justice
3 system, and suicide prevention; and

4 (4) to address the shortage of mental health
5 professionals in this state, including programs to increase access
6 to mental health professionals in this state, programs to increase
7 the use of telemedicine in the treatment of behavioral health or
8 mental health issues, and programs to provide loan repayment
9 assistance and other funding for mental health professionals,
10 including physicians and advanced practice nurses trained in the
11 prevention, diagnosis, and treatment of mental illness in children
12 and adolescents.

13 SECTION 2. Section 7-c, Article VIII, Texas Constitution,
14 is amended by adding Subsections (b-1) and (d-1) to read as follows:

15 (b-1) Subject to Subsection (d-1) of this section, in each
16 state fiscal year, the comptroller of public accounts shall deposit
17 to the credit of the Texas mental and behavioral health research
18 fund \$100 million of the net revenue derived from the imposition of
19 the state sales and use tax on the sale, storage, use, or other
20 consumption in this state of taxable items under Chapter 151, Tax
21 Code, or its successor, that exceeds the amount of \$30.5 billion of
22 that revenue coming into the treasury in that state fiscal year.

23 (d-1) The legislature by adoption of a resolution approved
24 by a record vote of two-thirds of the members of each house of the
25 legislature may direct the comptroller of public accounts to reduce
26 the amount of money deposited to the credit of the Texas mental and
27 behavioral health research fund under Subsection (b-1) of this

1 section. The comptroller may be directed to make that reduction
2 only:

3 (1) in the state fiscal year in which the resolution is
4 adopted, or in either of the following two state fiscal years; and

5 (2) by an amount or percentage that does not result in
6 a reduction of more than 50 percent of the amount that would
7 otherwise be deposited to the fund in the affected state fiscal year
8 under Subsection (b-1) of this section.

9 SECTION 3. This proposed constitutional amendment shall be
10 submitted to the voters at an election to be held November 5, 2019.
11 The ballot shall be printed to permit voting for or against the
12 proposition: "The constitutional amendment providing for the
13 dedication of certain sales and use tax revenue to the Texas mental
14 and behavioral health research fund established to fund research,
15 treatment, and access to services in this state for behavioral
16 health, mental health, and substance use and addiction issues."