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H.J.R. No. 82

A JOINT RESOLUTION

1 proposing a constitutional amendment providing for the creation of
2 and use of money in the generate recurring oil wealth for Texas
3 (GROW Texas) fund and allocating certain general revenues to that
4 fund, the economic stabilization fund, and the state highway fund.

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

6 SECTION 1. Section 49-g, Article III, Texas Constitution,
7 is amended by amending Subsections (c), (c-1), and (c-2) and adding
8 Subsection (c-3) to read as follows:

9 (c) Not later than the 90th day of each fiscal year, the
10 comptroller of public accounts shall transfer from the general
11 revenue fund to the economic stabilization fund, ~~and~~ the state
12 highway fund, and the generate recurring oil wealth for Texas (GROW
13 Texas) fund the sum of the amounts described by Subsections (d) and
14 (e) of this section, to be allocated as provided by Subsections
15 (c-1), ~~and~~ (c-2), and (c-3) of this section. However, if
16 necessary and notwithstanding the allocations prescribed by
17 Subsections (c-1), ~~and~~ (c-2), and (c-3) of this section, the
18 comptroller shall reduce proportionately the amounts described by
19 Subsections (d) and (e) of this section to be transferred and
20 allocated to the economic stabilization fund to prevent the amount
21 in that fund from exceeding the limit in effect for that biennium
22 under Subsection (g) of this section. Revenue transferred to the
23 state highway fund under this subsection may be used only for
24 constructing, maintaining, and acquiring rights-of-way for public

1 roadways other than toll roads.

2 (c-1) Of the sum of the amounts described by Subsections (d)
3 and (e) of this section and required to be transferred from the
4 general revenue fund under Subsection (c) of this section, the
5 comptroller shall allocate one-half to the economic stabilization
6 fund and the remainder to the state highway fund, except as provided
7 by Subsections [~~Subsection~~] (c-2) and (c-3) of this section.

8 (c-2) The legislature by general law shall provide for a
9 procedure by which the allocations prescribed by Subsections (c-1)
10 and (c-3) [~~allocation of the sum of the amounts described by~~
11 ~~Subsections (d) and (e)] of this section may be adjusted to provide
12 for a transfer to the economic stabilization fund of an amount
13 greater than the allocations [~~allocation~~] provided for under those
14 subsections [~~Subsection (c-1) of this section with the remainder of~~
15 ~~that sum, if any, allocated for transfer to the state highway fund].
16 The allocations [~~allocation~~] made as provided by that general law
17 are [~~is~~] binding on the comptroller for the purposes of the
18 transfers required by Subsection (c) of this section.~~~~

19 (c-3) Each time the comptroller determines the amount of
20 general revenue to be allocated for transfer to the economic
21 stabilization fund under Subsection (c-1) of this section, the
22 comptroller shall reduce by 12 percent the amount of that transfer
23 and at the same time transfer to the credit of the generate
24 recurring oil wealth for Texas (GROW Texas) fund an amount of
25 general revenue equal to the amount by which the comptroller
26 reduced the amount of the transfer to the economic stabilization
27 fund, provided that the total amount transferred to the generate

1 recurring oil wealth for Texas (GROW Texas) fund under this
2 subsection may not exceed \$250 million in a state fiscal biennium.
3 For purposes of determining the amount of the transfer to the
4 generate recurring oil wealth for Texas (GROW Texas) fund under
5 this subsection, the comptroller may not consider any amount by
6 which the amount transferred to the economic stabilization fund is
7 increased under Subsection (c-2) of this section.

8 SECTION 2. Article III, Texas Constitution, is amended by
9 adding Section 49-g-3 to read as follows:

10 Sec. 49-g-3. (a) The generate recurring oil wealth for
11 Texas (GROW Texas) fund is established as a fund in the state
12 treasury.

13 (b) The generate recurring oil wealth for Texas (GROW Texas)
14 fund consists of:

15 (1) money transferred to the fund under Section 49-g
16 of this article;

17 (2) money appropriated to the fund by the legislature;

18 (3) money that the legislature by statute dedicates
19 for deposit to the credit of the fund;

20 (4) gifts or grants contributed to the fund; and

21 (5) investment earnings and interest earned on amounts
22 credited to the fund.

23 (c) The legislature may appropriate money from the generate
24 recurring oil wealth for Texas (GROW Texas) fund only for use in
25 areas of the state from which oil and gas are produced and only to
26 address infrastructure needs in the manner provided by general law
27 in areas of the state determined by the legislature to be

1 significantly affected by oil and gas production. General law
2 enacted under this subsection may provide for the appropriation of
3 money in the fund to make grants to state agencies and political
4 subdivisions of the state for a purpose authorized by this
5 subsection.

6 (d) On the last day of each state fiscal biennium, the
7 comptroller of public accounts shall transfer any unobligated and
8 unappropriated money that remains in the fund on that date to the
9 economic stabilization fund.

10 (e) The generate recurring oil wealth for Texas (GROW Texas)
11 fund commission is created to administer money appropriated from
12 the fund and to advise the legislature on making appropriations
13 from the fund. The commission consists of seven members who serve
14 four-year terms beginning September 1 of each odd-numbered year.
15 The lieutenant governor shall appoint two members of the senate to
16 the commission. The speaker of the house of representatives shall
17 appoint two members of the house of representatives to the
18 commission. The governor shall appoint three members of the public
19 to the commission and shall designate the presiding officer of the
20 commission. A vacancy on the commission shall be filled in the same
21 manner as the original appointment for the unexpired term. Members
22 of the commission are not entitled to compensation for service on
23 the commission but are entitled to reimbursement of expenses
24 incurred while performing duties as commission members.

25 SECTION 3. The following temporary provision is added to
26 the Texas Constitution:

27 TEMPORARY PROVISION. (a) This temporary provision applies

1 to the constitutional amendment proposed by the 86th Legislature,
2 Regular Session, 2019, providing for the creation of the generate
3 recurring oil wealth for Texas (GROW Texas) fund, dedicating the
4 money in that fund to benefit areas of the state from which oil and
5 gas are produced, and providing for the transfer of certain general
6 revenues to that fund, the economic stabilization fund, and the
7 state highway fund.

8 (b) Section 49-g-3, Article III, of this constitution, as
9 added by the amendment, and the amendment to Section 49-g, Article
10 III, of this constitution, take effect September 1, 2021.

11 (c) This temporary provision expires September 1, 2022.

12 SECTION 4. This proposed constitutional amendment shall be
13 submitted to the voters at an election to be held November 5, 2019.
14 The ballot shall be printed to permit voting for or against the
15 proposition: "The constitutional amendment providing for the
16 creation of the generate recurring oil wealth for Texas (GROW
17 Texas) fund, dedicating the money in that fund to benefit areas of
18 the state from which oil and gas are produced, and providing for the
19 transfer of certain general revenues to that fund, the economic
20 stabilization fund, and the state highway fund."