

By: Cain

H.J.R. No. 138

A JOINT RESOLUTION

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

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

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

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

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

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

1 constitution.

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

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

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

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

15 TEMPORARY PROVISION. (a) This temporary provision applies
16 to the constitutional amendment proposed by the 86th Legislature,
17 Regular Session, 2019, regarding limits on the rate of growth of
18 spending by the state and certain political subdivisions of the
19 state.

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

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

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

27 SECTION 3. This proposed constitutional amendment shall be

H.J.R. No. 138

1 submitted to the voters at an election to be held November 5, 2019.
2 The ballot shall be printed to provide for voting for or against the
3 proposition: "The constitutional amendment regarding limits on the
4 rate of growth of spending by the state and certain political
5 subdivisions of the state."