

By: Krause

H.J.R. No. 144

A JOINT RESOLUTION

1 proposing a constitutional amendment regarding the limitation on
2 the rate of growth of appropriations and the use of surplus state
3 revenue to provide for property tax relief and public school
4 teacher compensation.

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

6 SECTION 1. Section 49-g(b), Article III, Texas
7 Constitution, is amended to read as follows:

8 (b) The comptroller shall, not later than the 90th day of
9 each biennium, transfer to the economic stabilization fund one-half
10 of any unencumbered positive balance of general revenues on the
11 last day of the preceding biennium. If necessary, the comptroller
12 shall reduce the amount transferred in proportion to the other
13 amounts prescribed by this section to prevent the amount in the fund
14 from exceeding the limit in effect for that biennium under
15 Subsection (g) of this section. For purposes of this subsection,
16 general revenues are considered encumbered on the last day of a
17 biennium only to the extent that general revenues are subject to
18 payment for particular identifiable and legally enforceable
19 obligations of this state that were incurred on or before that day
20 and intended to be paid out of appropriations for that biennium.

21 SECTION 2. Article III, Texas Constitution, is amended by
22 adding Section 49-g-5 to read as follows:

23 Sec. 49-g-5. (a) Not later than the 90th day of each state
24 fiscal biennium, the comptroller of public accounts shall determine

1 an amount equal to one-half of the unencumbered positive balance of
2 general revenues on the last day of the preceding state fiscal
3 biennium.

4 (b) Of the amount determined under Subsection (a) of this
5 section:

6 (1) 25 percent may be used only to provide
7 compensation for teachers, counselors, and librarians employed in
8 public schools; and

9 (2) the remainder may be used only to provide ad
10 valorem tax relief by reducing school district maintenance and
11 operations ad valorem tax rates.

12 (c) For purposes of Subsection (a) of this section, general
13 revenues are considered encumbered on the last day of a state fiscal
14 biennium only to the extent that general revenues are subject to
15 payment for particular identifiable and legally enforceable
16 obligations of this state that were incurred on or before that day
17 and intended to be paid out of appropriations for that state fiscal
18 biennium.

19 SECTION 3. The following temporary provision is added to
20 the Texas Constitution:

21 TEMPORARY PROVISION. (a) This temporary provision applies to
22 the constitutional amendment proposed by the 86th Legislature,
23 Regular Session, 2019, regarding the use of surplus state revenue
24 to provide for property tax relief and compensation of certain
25 public school employees.

26 (b) The amendments to Section 49-g(b), Article III, of this
27 constitution, and Section 49-g-5, Article III, of this

1 constitution, as added by the amendment, apply beginning with the
2 state fiscal biennium that begins September 1, 2021.

3 (c) This temporary provision expires January 1, 2022.

4 SECTION 4. This proposed constitutional amendment shall be
5 submitted to the voters at an election to be held November 5, 2019.
6 The ballot shall be printed to permit voting for or against the
7 proposition: "The constitutional amendment regarding the use of
8 surplus state revenue to provide for property tax relief and
9 compensation for certain public school employees."