

By: Perry

S.J.R. No. 53

A JOINT RESOLUTION

1 proposing a constitutional amendment establishing the state
2 deferred maintenance fund to provide funding for deferred
3 maintenance at state facilities and transferring economic
4 stabilization fund money to that 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 adding Subsection (n-1) to read as follows:

8 (n-1) On January 1, 2020, the comptroller shall transfer
9 \$1.8 billion of the unobligated and otherwise unappropriated
10 balance of the economic stabilization fund to the state deferred
11 maintenance fund. The transfer made under this subsection is not an
12 appropriation of state tax revenues for the purposes of Section 22,
13 Article VIII, of this constitution. This subsection expires
14 January 1, 2021.

15 SECTION 2. Article III, Texas Constitution, is amended by
16 adding Section 49-g-4 to read as follows:

17 Sec. 49-g-4. (a) The state deferred maintenance fund is
18 established as a fund in the state treasury to be administered by
19 the comptroller of public accounts.

20 (b) The fund consists of:

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

23 (2) money appropriated, credited, or transferred to
24 the fund by the legislature, including the proceeds of any fee or

tax imposed by this state that by statute are dedicated for deposit to the credit of the fund and any other revenue the legislature by statute dedicates for deposit to the credit of the fund; and

(3) investment earnings and interest earned on amounts credited to the fund.

(c) Money in the fund may be appropriated only to provide funding for deferred maintenance at state facilities as provided by general law or in accordance with an applicable federal law. An appropriation from the fund is not an appropriation of state tax revenues for purposes of Section 22, Article VIII, of this constitution.

(d) On September 1, 2031, the comptroller of public accounts shall:

(1) determine the amount, if any, of the money transferred to the fund from the economic stabilization fund on January 1, 2020, that remains in the fund and is unobligated on August 31, 2031, and the amount of any investment earnings or interest attributable to that amount that is in the fund and unobligated on that date; and

(2) transfer the sum of the amounts determined under Subdivision (1) of this subsection from the fund to the general revenue fund.

(e) Subsection (d) of this section and this subsection expire January 1, 2032.

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 permit voting for or against the

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1 proposition: "The constitutional amendment establishing the
2 deferred maintenance fund to provide funding for deferred
3 maintenance at state facilities and transferring economic
4 stabilization fund money to that fund."