87R9573 JRR-F

By:  Birdwell S.J.R. No. 52

A JOINT RESOLUTION

proposing a constitutional amendment providing for the creation of the Texas emissions reduction plan fund for the purpose of administering and implementing programs relating to reducing emissions of air contaminants or other pollutants and preventing areas of the state from being in violation of national ambient air quality standards.

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

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

Sec. 68.  (a) The Texas emissions reduction plan fund is established as a trust fund outside the state treasury to be held by the comptroller and administered by the Texas Commission on Environmental Quality, or that commission's successor in function, as a trustee. Money in the fund may be spent without legislative appropriation and may be used as provided by general law for the purpose of administering and implementing programs relating to reducing emissions of air contaminants or other pollutants and preventing areas of the state from being in violation of national ambient air quality standards.

(b)  The Texas emissions reduction plan fund consists of money credited to the fund as provided by general law. Money credited to the fund may be transferred to the fund without legislative appropriation.

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

TEMPORARY PROVISION. (a) This temporary provision applies to the constitutional amendment proposed by the 87th Legislature, Regular Session, 2021, providing for the creation of the Texas emissions reduction plan fund.

(b)  A reference in general law to the Texas emissions reduction plan fund established under Section 386.250, Health and Safety Code, means the Texas emissions reduction plan fund established under Section 68, Article III, of this constitution.

(c)  If money is transferred to the credit of the Texas emissions reduction plan fund established under Section 386.250, Health and Safety Code, before the effective date of the amendment adding Section 68 to Article III of this constitution, the transfer of that money without legislative appropriation does not affect the validity of the transfer.

(d)  This temporary provision expires January 1, 2026.

SECTION 3.  This proposed constitutional amendment shall be submitted to the voters at an election to be held November 2, 2021. The ballot shall be printed to permit voting for or against the proposition: "The constitutional amendment providing for the creation of the Texas emissions reduction plan fund for the purpose of administering and implementing programs relating to reducing emissions of air contaminants or other pollutants and preventing areas of the state from being in violation of national ambient air quality standards."