

By: Dutton

H.J.R. No. 74

A JOINT RESOLUTION

1 proposing a constitutional amendment requiring the periodic review
2 of state and local tax preferences and the expiration of certain tax
3 preferences if not reauthorized by law.

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

5 SECTION 1. Article VIII, Texas Constitution, is amended by
6 adding Section 27 to read as follows:

7 Sec. 27. (a) The legislature by general law shall:

8 (1) require the periodic review of state and local tax
9 preferences;

10 (2) define the term "tax preference" for the purposes
11 of this section; and

12 (3) prescribe the methods, timing, and administrative
13 procedures for implementing the requirements of this subsection.

14 (b) Unless reauthorized by law:

15 (1) a tax preference that first takes effect on or
16 after September 1, 2022, expires six years after the date the law
17 enacting or most recently reauthorizing the tax preference takes
18 effect, except that the legislature may provide for an earlier
19 expiration date; and

20 (2) a tax preference that takes effect before
21 September 1, 2022, and that is reauthorized by law on or after that
22 date expires six years after the date the law most recently
23 reauthorizing the tax preference takes effect, except that the
24 legislature may provide for an earlier expiration date.

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

3 TEMPORARY PROVISION. (a) This temporary provision applies
4 to the constitutional amendment proposed by the 87th Legislature,
5 Regular Session, 2021, requiring the legislature to provide for a
6 periodic review of state and local tax preferences and providing
7 for the expiration of certain tax preferences after six years, or at
8 another time prescribed by the legislature, unless reauthorized by
9 law.

10 (b) Section 27, Article VIII, of this constitution, as added
11 by the amendment, takes effect January 1, 2022.

12 (c) This temporary provision expires January 2, 2022.

13 SECTION 3. This proposed constitutional amendment shall be
14 submitted to the voters at an election to be held November 2, 2021.
15 The ballot shall be printed to permit voting for or against the
16 proposition: "The constitutional amendment requiring the
17 legislature to provide for a periodic review of state and local tax
18 preferences and providing for the expiration of certain tax
19 preferences after six years, or at another time prescribed by the
20 legislature, unless reauthorized by law."