

By: Birdwell

S.J.R. No. 52

A JOINT RESOLUTION

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

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

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

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

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

24 SECTION 2. The following temporary provision is added to

1 the Texas Constitution:

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

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

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

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

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