SENATE JOINT RESOLUTION

proposing a constitutional amendment creating the Texas water fund
to assist in financing water projects in this state.

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

SECTION 1. Article III, Texas Constitution, is amended by
adding Section 49-d-16 to read as follows:

Sec. 49-d-16. (a) The Texas water fund is created as a
special fund in the state treasury outside the general revenue
fund. The fund is administered by the Texas Water Development Board
or by that board's successor in function as provided by general law.
The legislature may appropriate money for the purpose of depositing
the money to the fund to be available for transfer as provided by
Subsection (b) of this section.

(b) The administrator of the Texas water fund may use the
fund only to transfer money to other funds or accounts administered
by the Texas Water Development Board or that board's successor in
function. Money transferred from the Texas water fund to a fund or
account may be spent without further legislative appropriation in
the manner provided by general law governing the use of money in the
fund or account to which the money was transferred. The
administrator may restore to the fund money transferred from the
fund and deposited to the credit of another fund or account.
Legislative appropriation is not required for the administrator to
transfer money from or restore money to the fund, including the
transfer of money from the fund to or the restoration of the money from:

(1) the Water Assistance Fund No. 480;
(2) the New Water Supply for Texas Fund;
(3) the Rural Water Assistance Fund No. 301; or
(4) the Statewide Water Public Awareness Account.

(c) The Texas water fund consists of:

(1) money transferred or deposited to the credit of the fund by general law, including money appropriated by the legislature directly to the fund and money from any source transferred or deposited to the credit of the fund authorized by general law;
(2) any other revenue that the legislature by statute dedicates for deposit to the credit of the fund;
(3) investment earnings and interest earned on amounts credited to the fund;
(4) money from gifts, grants, or donations to the fund; and
(5) money returned from any authorized transfer.

(d) The legislature by general law shall provide for the manner in which money from the Texas water fund may be used, subject to the limitations provided by this section.

(e) Of the amount of money initially appropriated to the Texas water fund, the administrator of the fund shall allocate not less than 25 percent to be used only for transfer to the New Water Supply for Texas Fund.

(f) The expenses of managing the investments of the Texas
(g) For purposes of Section 22, Article VIII, of this constitution:

(1) money in the Texas water fund is dedicated by this constitution; and

(2) an appropriation of state tax revenues for the purpose of depositing money to the credit of the Texas water fund is treated as if it were an appropriation of revenues dedicated by this constitution.

(h) Any unexpended and unobligated balance remaining in the Texas water fund at the end of a state fiscal biennium is appropriated to the administrator of that fund for the following state fiscal biennium for the purposes authorized by this section.

SECTION 2. This proposed constitutional amendment shall be submitted to the voters at an election to be held November 7, 2023. The ballot shall be printed to permit voting for or against the proposition: "The constitutional amendment creating the Texas water fund to assist in financing water projects in this state."
President of the Senate

I hereby certify that S.J.R. No. 75 passed the Senate on April 3, 2023, by the following vote: Yeas 31, Nays 0; May 22, 2023, Senate refused to concur in House amendments and requested appointment of Conference Committee; May 23, 2023, House granted request of the Senate; May 28, 2023, Senate adopted Conference Committee Report by the following vote: Yeas 31, Nays 0.

Secretary of the Senate

I hereby certify that S.J.R. No. 75 passed the House, with amendments, on May 16, 2023, by the following vote: Yeas 135, Nays 4, one present not voting; May 23, 2023, House granted request of the Senate for appointment of Conference Committee; May 28, 2023, House adopted Conference Committee Report by the following vote: Yeas 142, Nays 0, one present not voting.

Chief Clerk of the House

Received:

Date

Secretary of State