

A JOINT RESOLUTION

proposing a constitutional amendment to dedicate a portion of the revenue derived from state sales and use taxes to the Texas water fund and to provide for the allocation and use of that revenue.

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

SECTION 1. Section 49-d-16, Article III, Texas Constitution, as proposed by S.J.R. 75, 88th Legislature, Regular Session, 2023, is amended by amending Subsections (c) and (e) and adding Subsections (e-1), (e-2), and (e-3) to read as follows:

(c) The Texas water fund consists of:

(1) money transferred or deposited to the credit of the fund under this constitution or 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 this constitution or 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; and

(6) money in accounts established in the fund under this constitution or by general law.

(e) The legislature by general law or by adoption of a

concurrent resolution approved by a record vote of a majority of the members of each house may allocate for transfer to the funds and accounts administered by the Texas Water Development Board or that board's successor the money deposited to the credit of the Texas water fund under Section 7-e, Article VIII, of this constitution. The allocation of money prescribed by a general law or resolution under this subsection may not be changed by the legislature during the first 10 fiscal years for which the money is allocated by the general law or resolution. Any money deposited to the credit of the Texas water fund under Section 7-e, Article VIII, of this constitution that is not allocated by a general law or resolution under this subsection may be transferred to other funds or accounts by the Texas Water Development Board or that board's successor in accordance with Subsection (b) of this section.

(e-1) During a state of disaster declared under Chapter 418, Government Code, or its successor, an allocation made under Subsection (e) of this section may be suspended through the budget execution process under Chapter 317, Government Code, or its successor, or by adoption of a concurrent resolution approved by a record vote of a majority of the members of each house. During a suspension of an allocation under this subsection, the money that would have been allocated but for the suspension is subject to appropriation by the legislature for any purpose. It is the intent of the legislature that any money repurposed under this subsection be restored to the Texas water fund when practicable.

(e-2) Of the amount of money initially appropriated to the Texas water fund, the administrator of the fund shall allocate not

1 less than 25 percent to be used only for transfer to the New Water
2 Supply for Texas Fund.

3 (e-3) This subsection and Subsections (e), (e-1), and (e-2)
4 of this section expire August 31, 2047.

5 SECTION 2. Article VIII, Texas Constitution, is amended by
6 adding Section 7-e to read as follows:

7 Sec. 7-e. (a) Subject to Section 7-d of this article and
8 Subsection (b) of this section, in each state fiscal year, the
9 comptroller of public accounts shall deposit to the credit of the
10 Texas water fund the first \$1 billion of the net revenue derived
11 from the imposition of the state sales and use tax on the sale,
12 storage, use, or other consumption in this state of taxable items
13 under Chapter 151, Tax Code, or its successor, that exceeds the
14 first \$46.5 billion of that revenue coming into the treasury in that
15 state fiscal year.

16 (b) The duty of the comptroller of public accounts to make a
17 deposit under this section expires August 31, 2047.

18 (c) Money deposited to the credit of the Texas water fund
19 under Subsection (a) of this section may not be transferred to the
20 New Water Supply for Texas Fund for the purpose of financing the
21 construction of infrastructure to transport groundwater that was
22 produced from a well in this state and that, at the time of
23 production, was not brackish, as that term is defined by general
24 law. This subsection applies to the construction of infrastructure
25 to transport water produced from a well associated with an aquifer
26 storage and recovery project only if the water injected as part of
27 the project was groundwater described by this subsection.

1 (d) Notwithstanding Section 49-d-16(b), Article III, of
2 this constitution, as proposed by S.J.R. 75, 88th Legislature,
3 Regular Session, 2023, the revenue deposited to the credit of the
4 Texas water fund under Subsection (a) of this section shall be
5 maintained by the administrator of the fund in a separate account in
6 the fund and may not be transferred from the fund by the
7 administrator except as directed by the legislature pursuant to an
8 appropriation made in accordance with Section 6 of this article.
9 The administrator of the fund shall transfer the amount
10 appropriated by the legislature from the account in accordance with
11 the applicable allocations specified by Section 49-d-16, Article
12 III, of this constitution, as proposed by S.J.R. 75, 88th
13 Legislature, Regular Session, 2023.

14 SECTION 3. The following temporary provision is added to
15 the Texas Constitution:

16 TEMPORARY PROVISION. (a) This temporary provision applies
17 to the constitutional amendment proposed by the 89th Legislature,
18 Regular Session, 2025, to dedicate a portion of the revenue derived
19 from state sales and use taxes to the Texas water fund and to
20 provide for the allocation and use of that revenue.

21 (b) Section 7-e, Article VIII, of this constitution takes
22 effect September 1, 2027.

23 (c) This temporary provision expires September 1, 2028.

24 SECTION 4. This proposed constitutional amendment shall be
25 submitted to the voters at an election to be held November 4, 2025.
26 The ballot shall be printed to permit voting for or against the
27 proposition: "The constitutional amendment to dedicate a portion of

H.J.R. No. 7

1 the revenue derived from state sales and use taxes to the Texas
2 water fund and to provide for the allocation and use of that
3 revenue."

President of the Senate

Speaker of the House

I certify that H.J.R. No. 7 was passed by the House on April 29, 2025, by the following vote: Yeas 138, Nays 6, 2 present, not voting; and that the House concurred in Senate amendments to H.J.R. No. 7 on May 29, 2025, by the following vote: Yeas 122, Nays 12, 2 present, not voting.

Chief Clerk of the House

H.J.R. No. 7

I certify that H.J.R. No. 7 was passed by the Senate, with amendments, on May 27, 2025, by the following vote: Yeas 31, Nays 0.

Secretary of the Senate

RECEIVED:

Date

Secretary of State