

## **BILL ANALYSIS**

Senate Research Center  
82R11698 KLA-D

S.J.R. 30  
By: Ogden  
Finance  
3/14/2011  
As Filed

### **AUTHOR'S / SPONSOR'S STATEMENT OF INTENT**

Currently, the gas and diesel tax is \$.20 per gallon. Under provisions of the Texas Constitution, one-fourth of the revenue collected is allocated to the Available School Fund and the remaining revenue is allocated to the Texas Highway Fund.

S.J.R. 30 would amend the Texas Constitution to allow the legislature to increase the gas and diesel tax by no more than \$.05 per gallon. The revenue collected by the increase can only be used to repay the principal of and interest on bonds authorized by Section 49-m and 49-n, Article III, of the Texas Constitution, also known as Proposition 14 bonds, which are secured by future gas tax revenue. No revenue collected from the increase would be allocated to the Available School Fund.

As proposed, S.J.R. 30 proposes a constitutional amendment dedicating certain revenue derived from any increases in taxes on motor fuel to the repayment of certain transportation-related state debt.

### **RULEMAKING AUTHORITY**

This bill does not expressly grant any additional rulemaking authority to a state officer, institution, or agency.

### **SECTION BY SECTION ANALYSIS**

SECTION 1. Amends Article VIII, Texas Constitution, by adding Section 7-c, as follows:

Sec. 7-c. Requires that, notwithstanding Section 7-a of this article, the net revenue derived from the portions of the rates of the taxes imposed on gasoline and diesel fuel used to propel motor vehicles over public roadways that exceed the rates of the taxes imposed on January 1, 2011, but not to exceed a portion of the rates equal to five cents, for each net gallon or fractional part on which the taxes are imposed, be allocated to a separate account in the state highway fund. Requires that interest earned on the account be credited to the account. Authorizes revenue allocated to the account in the state highway fund under this section and interest on the revenue be appropriated only to repay the principal of and interest on:

- (1) notes issued and loans obtained as authorized by Section 49-m, Article III, of this constitution; and
- (2) bond and other public securities issued, and bond enhancement agreements entered into, as authorized by Section 49-n, Article III, of this constitution, as added by H.J.R. 28, Acts of the 78 Legislature, Regular Session, 2003.

SECTION 2. Requires that this proposed constitutional amendment be submitted to the voters at an election to be held November 8, 2011. Sets forth the required language of the ballot.