

BILL ANALYSIS

Senate Research Center
82R520 JAM-D

S.J.R. 8
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Finance
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As Filed

AUTHOR'S / SPONSOR'S STATEMENT OF INTENT

The State of Texas collects revenue derived from motor vehicle registration fees and taxes on motor fuels and lubricants. Texas also receives federal funds as reimbursement for state expenditures of funds that are used for transportation purposes. Currently, these funds can be diverted for various purposes, including policing the roadways.

The funds derived from motor vehicle registration fees, taxes on motor fuels and lubricants, and federal funding should only be used for specific purposes consistent with their collection and intended purpose.

S.J.R. 8 would limit where these funds could be used, prioritize certain uses for purposes that are consistent with both their collection and intended uses. The funds would no longer be available for the administration of laws prescribed by the legislature pertaining to the supervision of traffic and safety on roads, or more plainly, for the policing of the roadways. The funds would also not be available for the payment of county and road district bonds or warrants voted or issued prior to January 2, 1939, and declared eligible prior to January 2, 1945, for payment out of the County and Road District Highway Fund.

As proposed, S.J.R. 8 proposes a constitutional amendment to limit the purposes for which revenues from motor vehicle registration fees, taxes on motor fuels and lubricants, and certain revenues received from the federal government may be used.

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 Sections 7-a and 7-b, Article VIII, Texas Constitution, as follows:

Sec. 7-a. Deletes existing text requiring that all net revenues remaining after payment of all refunds allowed by law and expenses of collection derived from motor vehicle registration fees, and all taxes, except gross production and ad valorem taxes, on motor fuels and lubricants used to propel motor vehicles over public roadways, subject to legislative appropriation, be used for the sole purpose of policing such public roadways, and for the administration of such laws as authorized to be prescribed by the legislature pertaining to the supervision of traffic and safety on such roads, and for the payment of the principal and interest on county and road district bonds or warrants voted or issued prior to January 2, 1939, and declared eligible prior to January 2, 1945, for payment out of the County and Road District Highway Fund under existing law.

Sec. 7-b. Makes a conforming change.

SECTION 2. Amends the Texas Constitution by adding the following temporary provision:

TEMPORARY PROVISION. (a) Provides that this temporary provision applies to the constitutional amendment proposed by the 82nd Legislature, Regular Session, 2011, to

limit the purposes for which revenues from motor vehicle registration fees, taxes on motor fuels and lubricants, and certain revenues received from the federal government may be used.

(b) Provides that the changes to Sections 7-a and 7-b, Article VIII, of this constitution made by the amendment apply only in connection with a state fiscal biennium that begins on or after September 1, 2013.

SECTION 3. Requires the proposed constitutional amendment to be submitted to the voters at an election to be held November 8, 2011. Sets forth the required language of the ballot.