

BILL ANALYSIS

Senate Research Center
84R1876 JAM-D

S.J.R. 12
By: Perry
Finance
4/17/2015
As Filed

AUTHOR'S / SPONSOR'S STATEMENT OF INTENT

Current law allows for money in the State Highway Fund to be appropriated to improve the state highway system, mitigate adverse environmental effects that result directly from construction or maintenance of a state highway, or to the Department of Public Safety of the State of Texas (DPS) to police the state highway system and to administer state laws relating to traffic and safety on public roads.

In the 2014-2015 biennium, approximately \$1.8 billion of state highway funds were appropriated to agencies other than the Texas Department of Transportation (TxDOT). Of these appropriations, often referred to as diversions, \$812.6 million was appropriated to DPS. S.J.R. 12 removes language from Sections 7-a and 7-b in Article VIII of the Texas Constitution that allows for the appropriation of state highway funds to DPS.

S.J.R. 12 proposes a constitutional amendment prescribing the purposes for which revenue from motor vehicle registration fees, certain motor vehicle-related taxes, 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, subject to legislative appropriation, allocation and direction, 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, be used for certain purposes, including policing public roadways and for the administration of such laws as may 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. Makes nonsubstantive changes.

Sec. 7-b. Provides that all revenues received from the federal government as reimbursement for state expenditures of funds that are themselves dedicated for acquiring rights-of-way and constructing and maintaining public roadways, rather than for acquiring rights-of-way and constructing, maintaining, and policing public roadways, are also constitutionally dedicated and shall be used only for those purposes.

SECTION 2. Adds the following temporary provision to the Texas Constitution:

TEMPORARY PROVISION. (a) Provides that this temporary provision applies to the constitutional amendment proposed by the 84rd Legislature, Regular Session, 2015,

prescribing the purposes for which revenue 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 amendments to Sections 7-a and 7-b, Article VIII, of this constitution apply only in connection with a state fiscal biennium that begins on or after September 1, 2017.

(c) Provides that this temporary provision expires September 2, 2017.

SECTION 3. Requires that the proposed constitutional amendment be submitted to the voters at an election to be held November 3, 2015. Sets forth the required language of the ballot.