

By: Schwertner

S.J.R. No. 15

A JOINT RESOLUTION

1 proposing a constitutional amendment prescribing the purposes for  
2 which revenue from motor vehicle registration fees, certain motor  
3 vehicle-related taxes, and certain revenues received from the  
4 federal government may be used.

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

6 SECTION 1. Sections 7-a and 7-b, Article VIII, Texas  
7 Constitution, are amended to read as follows:

8 Sec. 7-a. Subject to legislative appropriation, allocation  
9 and direction, all net revenues remaining after payment of all  
10 refunds allowed by law and expenses of collection derived from  
11 motor vehicle registration fees, and all taxes, except gross  
12 production and ad valorem taxes, on motor fuels and lubricants used  
13 to propel motor vehicles over public roadways, shall be used for the  
14 sole purpose of acquiring rights-of-way and [7] constructing and  
15 [7] maintaining[7, and policing] such public roadways[7, and for the  
16 ~~administration of such laws as may be prescribed by the Legislature~~  
17 ~~pertaining to the supervision of traffic and safety on such roads,~~  
18 ~~and for the payment of the principal and interest on county and road~~  
19 ~~district bonds or warrants voted or issued prior to January 2, 1939,~~  
20 ~~and declared eligible prior to January 2, 1945, for payment out of~~  
21 ~~the County and Road District Highway Fund under existing law];~~  
22 provided, however, that one-fourth (1/4) of such net revenue from  
23 the motor fuel tax shall be allocated to the Available School Fund;  
24 and, provided, however, that the net revenue derived by counties

1 from motor vehicle registration fees shall never be less than the  
2 maximum amounts allowed to be retained by each County and the  
3 percentage allowed to be retained by each County under the laws in  
4 effect on January 1, 1945. Nothing contained herein shall be  
5 construed as authorizing the pledging of the State's credit for any  
6 purpose.

7       Sec. 7-b. All revenues received from the federal government  
8 as reimbursement for state expenditures of funds that are  
9 themselves dedicated for acquiring rights-of-way and constructing  
10 and[7] maintaining[~~7~~, ~~and~~ ~~policing~~] public roadways are also  
11 constitutionally dedicated and shall be used only for those  
12 purposes.

13       SECTION 2. The following temporary provision is added to  
14 the Texas Constitution:

15       TEMPORARY PROVISION. (a) This temporary provision applies  
16 to the constitutional amendment proposed by the 84th Legislature,  
17 Regular Session, 2015, prescribing the purposes for which revenue  
18 from motor vehicle registration fees, taxes on motor fuels and  
19 lubricants, and certain revenues received from the federal  
20 government may be used.

21       (b) The amendments to Sections 7-a and 7-b, Article VIII, of  
22 this constitution apply only in connection with a state fiscal  
23 biennium that begins on or after September 1, 2017.

24       (c) Beginning in the state fiscal year that begins on  
25 September 1, 2017, the legislature may not appropriate any revenue  
26 described by Section 7-a, Article VIII, of this constitution, and  
27 the state agency responsible for the construction and maintenance

1 of state highways may not allocate any revenue described by that  
2 section that is appropriated to the state agency, for any purpose  
3 other than acquiring rights-of-way and constructing and  
4 maintaining public roadways.

5 (d) This temporary provision does not affect:

6 (1) the allocation of revenue to the available school  
7 fund or the allocation to counties of motor vehicle registration  
8 fees under Section 7-a, Article VIII, of this constitution; or

9 (2) the use of revenue described by Section 7-a or 7-b,  
10 Article VIII, of this constitution for a purpose specifically  
11 authorized by another provision of this constitution.

12 (e) This temporary provision expires September 2, 2017.

13 SECTION 3. This proposed constitutional amendment shall be  
14 submitted to the voters at an election to be held November 3, 2015.  
15 The ballot shall be printed to permit voting for or against the  
16 proposition: "The constitutional amendment prescribing the  
17 purposes for which revenue from motor vehicle registration fees,  
18 taxes on motor fuels and lubricants, and certain revenues received  
19 from the federal government may be used."