A JOINT RESOLUTION

proposing a constitutional amendment providing for an annual state
budget and annual legislative sessions for budget purposes.

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

SECTION 1. Section 5(a), Article III, Texas Constitution,
is amended to read as follows:

(a) The Legislature shall meet every odd-numbered year in
regular session and every even-numbered year in budget session [two
years] at such times [time] as may be provided by law. The
Legislature also shall meet [and] at other times when convened by
the Governor.

SECTION 2. Section 24(a), Article III, Texas Constitution,
is amended to read as follows:

(a) Members of the Legislature shall receive from the Public
Treasury a salary of Six Hundred Dollars ($600) per month, unless a
greater amount is recommended by the Texas Ethics Commission and
approved by the voters of this State in which case the salary is
that amount. Each member shall also receive a per diem set by the
Texas Ethics Commission for each day during each Regular, Budget,
and Special Session of the Legislature.

SECTION 3. Article III, Texas Constitution, is amended by
adding Section 40a to read as follows:

Sec. 40a. (a) A budget session of the legislature may not
exceed 60 days in duration, except that the legislature by majority
vote of the membership of each house may extend a budget session by
not more than 30 days. When convened in budget session, a house of
the legislature may not consider a bill or proposed constitutional
amendment on a matter other than:

(1) appropriations, transfers of state money among
funds and accounts, or state revenue; or

(2) an emergency matter submitted by the governor in a
special message to the legislature.

(b) Except as otherwise provided by this constitution, a
budget session is treated in the same manner as a special session of
the legislature for purposes of this constitution.

(c) Unless otherwise provided by general law, a budget
session shall be convened at noon on the third Tuesday in April.

SECTION 4. Section 49(c), Article III, Texas Constitution,
is amended to read as follows:

(c) The legislature may call an election during any regular
session or budget session of the legislature or during any special
session of the legislature in which the subject of the election is
designated in the governor's proclamation for that special session.
The election may be held on any date, and notice of the election
shall be given for the period and in the manner required for
amending this constitution. The election shall be held in each
county in the manner provided by law for other statewide elections.

SECTION 5. Subsection (a), Section 49a, Article III, Texas
Constitution, is amended to read as follows:

(a) It shall be the duty of the Comptroller of Public
Accounts in advance of each Regular Session and Budget Session of
the Legislature to prepare and submit to the Governor and to the
Legislature upon its convening a statement under oath showing fully
the financial condition of the State Treasury at the close of the
last fiscal period and an estimate of the probable receipts and
disbursements for the then current fiscal year. There shall also be
contained in said statement an itemized estimate of the anticipated
revenue based on the laws then in effect that will be received by
and for the State from all sources showing the fund accounts to be
credited during each of the next two fiscal years, [the succeeding
biennium] and said statement shall contain such other information
as may be required by law. Supplemental statements shall be
submitted at any Special Session of the Legislature and at such
other times as may be necessary to show probable changes.

SECTION 6. Subsections (b), (c), (g), (h), (j), (k), and
(l), Section 49-g, Article III, Texas Constitution, are amended to
read as follows:

(b) The comptroller shall, not later than the 90th day of
each fiscal year [biennium], transfer to the economic stabilization
fund one-half of any unencumbered positive balance of general
revenues on the last day of the preceding fiscal year [biennium].
If necessary, the comptroller shall reduce the amount transferred
in proportion to the other amounts prescribed by this section to
prevent the amount in the fund from exceeding the limit in effect
for that fiscal year [biennium] under Subsection (g) of this
section.

(c) Not later than the 90th day of each fiscal year, the
comptroller of public accounts shall transfer from general revenue
to the economic stabilization fund the amounts prescribed by
Subsections (d) and (e) of this section. However, if necessary, the comptroller shall reduce proportionately the amounts transferred to prevent the amount in the fund from exceeding the limit in effect for that fiscal year [biennium] under Subsection (g) of this section.

(g) During each fiscal year [biennium], the amount in the economic stabilization fund may not exceed an amount equal to 10 percent of the total amount, excluding investment income, interest income, and amounts borrowed from special funds, deposited in general revenue during the preceding two fiscal years [biennium].

(h) In preparing an estimate of anticipated revenues for a succeeding fiscal year [biennium] as required by Article III, Section 49a, of this constitution, the comptroller shall estimate the amount of the transfers that will be made under Subsections (b), (d), and (e) of this section. The comptroller shall deduct that amount from the estimate of anticipated revenues as if the transfers were made on August 31 of that fiscal year.

(j) The comptroller may transfer money from the economic stabilization fund to general revenue to prevent or eliminate a temporary cash deficiency in general revenue. The comptroller shall return the amount transferred to the economic stabilization fund as soon as practicable, but not later than August 31 of the fiscal year in which the transfer is made [each odd-numbered year]. The comptroller shall allocate the depository interest as if the transfers had not been made. If the comptroller submits a statement to the governor and the legislature under Article III, Section 49a, of this constitution when money from the economic stabilization
(k) Amounts from the economic stabilization fund may be appropriated during a regular or budget [legislative] session only for a purpose for which an appropriation from general revenue was made for the current fiscal year [by the preceding legislature] and may be appropriated in a special session only for a purpose for which an appropriation from general revenue was made in a preceding legislative session of the same legislature. An appropriation from the economic stabilization fund may be made under this subsection only if the comptroller certifies that appropriations from general revenue made for the current fiscal year [by the preceding legislature for the current biennium] exceed available general revenues and cash balances for the remainder of that fiscal year [biennium]. The amount of the [an] appropriation [from the economic stabilization fund] may not exceed the difference between the comptroller's estimate of general revenue for the current fiscal year [biennium] at the time the comptroller receives for certification the bill making the appropriation and the amount of general revenue appropriations for that fiscal year [biennium] previously certified by the comptroller. Appropriations from the economic stabilization fund under this subsection may not extend beyond the last day of the current fiscal year [biennium]. An appropriation from the economic stabilization fund under this subsection must be approved by a three-fifths vote of the members present in each house of the legislature.
(1) If an estimate of anticipated revenues for the succeeding fiscal year [biennium] prepared by the comptroller pursuant to Article III, Section 49a, of this constitution is less than the revenues that are estimated at the same time by the comptroller to be available for the current fiscal year [biennium], the legislature may, by a three-fifths vote of the members present in each house, appropriate for the succeeding fiscal year [biennium] from the economic stabilization fund an amount not to exceed this difference. Following each fiscal year, the actual amount of revenue shall be computed, and if the estimated difference exceeds the actual difference, the comptroller shall transfer the amount necessary from general revenue to the economic stabilization fund so that the actual difference shall not be exceeded. If all or a portion of the difference in revenue from one fiscal year [biennium] to the next results, at least in part, from a change in a tax rate or base adopted by the legislature, the computation of revenue difference shall be adjusted to the amount that would have been available had the rate or base not been changed.

SECTION 7. Section 6, Article VIII, Texas Constitution, is amended to read as follows:

Sec. 6. No money shall be drawn from the Treasury but in pursuance of specific appropriations made by law; nor shall any appropriation of money be made for a longer term than one year [two years].

SECTION 8. Section 22(a), Article VIII, Texas Constitution, is amended to read as follows:
(a) In no fiscal year shall the rate of growth of appropriations from state tax revenues not dedicated by this constitution exceed the estimated rate of growth of the state's economy. The legislature shall provide by general law procedures to implement this subsection.

SECTION 9. The following temporary provision is added to the Texas Constitution:

TEMPORARY PROVISION. (a) The constitutional amendment proposed by the 84th Legislature, Regular Session, 2015, providing for an annual state budget and annual legislative sessions for budget purposes takes effect September 1, 2017.

(b) The amendment does not affect the validity of an appropriation made before that date for any part of the two consecutive state fiscal years ending August 31, 2019.

(c) This temporary provision expires January 1, 2020.

SECTION 10. This proposed constitutional amendment shall be submitted to the voters at an election to be held November 3, 2015. The ballot shall be printed to permit voting for or against the proposition: "The constitutional amendment providing for an annual state budget and annual legislative sessions for budget purposes."