

1-1 By: Nichols, et al. S.J.R. No. 5
1-2 (In the Senate - Filed February 4, 2015; February 9, 2015,
1-3 read first time and referred to Committee on Transportation;
1-4 March 2, 2015, reported adversely, with favorable Committee
1-5 Substitute by the following vote: Yeas 8, Nays 1; March 2, 2015,
1-6 sent to printer.)

1-7 COMMITTEE VOTE

	Yea	Nay	Absent	PNV
1-8				
1-9	Nichols	X		
1-10	Huffines	X		
1-11	Ellis	X		
1-12	Fraser	X		
1-13	Garcia	X		
1-14	Hall	X		
1-15	Hancock	X		
1-16	Kolkhorst	X		
1-17	Taylor of Collin	X		

1-18 COMMITTEE SUBSTITUTE FOR S.J.R. No. 5 By: Nichols

1-19 SENATE JOINT RESOLUTION

1-20 proposing a constitutional amendment dedicating certain revenue
1-21 derived from the tax imposed on the sale, use, or rental of a motor
1-22 vehicle to the state highway fund.

1-23 BE IT RESOLVED BY THE LEGISLATURE OF THE STATE OF TEXAS:

1-24 SECTION 1. Article VIII, Texas Constitution, is amended by
1-25 adding Section 7-c to read as follows:

1-26 Sec. 7-c. (a) Subject to Subsection (c) of this section,
1-27 the net revenue derived from the tax authorized by Chapter 152, Tax
1-28 Code, or its successor, and imposed on the sale, use, or rental of a
1-29 motor vehicle that exceeds the first \$2.5 billion of that revenue
1-30 coming into the treasury in a state fiscal year shall be deposited
1-31 as follows:

1-32 (1) the next \$2.5 billion of that revenue coming into
1-33 the treasury in that state fiscal year shall be deposited to the
1-34 credit of the state highway fund; and

1-35 (2) any additional revenue to which this subsection
1-36 applies that comes into the treasury in that state fiscal year shall
1-37 be deposited:

1-38 (A) one-half to the credit of the state highway
1-39 fund; and

1-40 (B) the remainder to the credit of the general
1-41 revenue fund.

1-42 (b) Money deposited to the credit of the state highway fund
1-43 under this section may be appropriated only to:

1-44 (1) construct, maintain, or acquire rights-of-way for
1-45 public roadways other than toll roads; or

1-46 (2) repay the principal of and interest on general
1-47 obligation bonds issued as authorized by Section 49-p, Article III,
1-48 of this constitution.

1-49 (c) Revenue described by Subsection (a) of this section
1-50 that, under general law in effect on January 1, 2015, was required
1-51 to be deposited to the credit of a fund outside the general revenue
1-52 fund from which money could be appropriated only for a purpose that
1-53 decreases the rates of, or reduces reliance on, ad valorem taxes
1-54 imposed to fund public schools is not included as part of the first
1-55 \$5 billion coming into the treasury for purposes of Subsection (a)
1-56 of this section, and the requirements applicable to the deposit of
1-57 money in excess of \$2.5 billion prescribed by Subsection (a) of this
1-58 section do not apply to that revenue to the extent general law
1-59 continues to require the deposit of that revenue as described by
1-60 this subsection and limit the appropriation of that revenue to the

2-1 purpose described by this subsection.

2-2 SECTION 2. The following temporary provision is added to
2-3 the Texas Constitution:

2-4 TEMPORARY PROVISION. (a) This temporary provision applies
2-5 to the constitutional amendment proposed by the 84th Legislature,
2-6 Regular Session, 2015, dedicating certain revenue derived from the
2-7 tax imposed on the sale, use, or rental of a motor vehicle to the
2-8 state highway fund.

2-9 (b) The changes to Article VIII of this constitution made by
2-10 the amendment take effect September 1, 2017.

2-11 (c) Beginning with the state fiscal year beginning on
2-12 September 1, 2017, the legislature may not appropriate any revenue
2-13 to which Section 7-c(a)(1) or (2)(A), Article VIII, of this
2-14 constitution applies for any purpose other than a purpose described
2-15 by Section 7-c(b), Article VIII, of this constitution.

2-16 (d) This temporary provision expires September 1, 2018.

2-17 SECTION 3. This proposed constitutional amendment shall be
2-18 submitted to the voters at an election to be held November 8, 2016.
2-19 The ballot shall be printed to permit voting for or against the
2-20 proposition: "The constitutional amendment dedicating certain
2-21 revenue derived from the tax imposed on the sale, use, or rental of
2-22 a motor vehicle to the state highway fund."

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