

1-1 By: Thompson of Harris, et al. H.J.R. No. 5
 1-2 (Senate Sponsor - Kolkhorst)
 1-3 (In the Senate - Received from the House April 16, 2019;
 1-4 May 1, 2019, read first time and referred to Committee on Finance;
 1-5 May 19, 2019, reported adversely, with favorable Committee
 1-6 Substitute by the following vote: Yeas 11, Nays 2; May 19, 2019,
 1-7 sent to printer.)

1-8 COMMITTEE VOTE

	Yea	Nay	Absent	PNV
1-9 Nelson	X			
1-10 Hinojosa	X			
1-11 Bettencourt		X		
1-12 Birdwell			X	
1-13 Campbell	X			
1-14 Flores	X			
1-15 Hancock		X		
1-16 Huffman	X			
1-17 Kolkhorst	X			
1-18 Nichols	X			
1-19 Perry	X			
1-20 Taylor	X			
1-21 Watson	X			
1-22 West	X			
1-23 Whitmire			X	

1-25 COMMITTEE SUBSTITUTE FOR H.J.R. No. 5 By: Kolkhorst

1-26 HOUSE JOINT RESOLUTION

1-27 proposing a constitutional amendment providing for the dedication
 1-28 of certain sales and use tax revenue to the Texas mental and
 1-29 behavioral health research fund established to fund research,
 1-30 treatment, and access to services in this state for behavioral
 1-31 health, mental health, and substance use and addiction issues.

1-32 BE IT RESOLVED BY THE LEGISLATURE OF THE STATE OF TEXAS:

1-33 SECTION 1. Article III, Texas Constitution, is amended by
 1-34 adding Section 68 to read as follows:

1-35 Sec. 68. The Texas mental and behavioral health research
 1-36 fund is established in the state treasury and consists of money
 1-37 transferred or deposited to the fund as provided by Section 7-c,
 1-38 Article VIII, of this constitution, appropriations made to the fund
 1-39 by the legislature, and all interest, dividends, and other income
 1-40 of the fund. Money from the fund may be used as provided by general
 1-41 law for the purpose of funding programs:

1-42 (1) to research behavioral health issues generally,
 1-43 including causes of behavioral health issues, public health trends
 1-44 and strategies regarding behavioral health issues, and new
 1-45 behavioral health treatments, interventions, and other solutions;

1-46 (2) to research substance use and addiction issues,
 1-47 including genetic determinates of addiction, identification of and
 1-48 mitigation of substance use and addiction risk factors, addiction
 1-49 recovery, and prescription practices;

1-50 (3) to research behavioral health and mental health
 1-51 issues affecting children and adolescents, including unidentified
 1-52 and untreated mental illness, involvement in the juvenile justice
 1-53 system, and suicide prevention; and

1-54 (4) to address the shortage of mental health
 1-55 professionals in this state, including programs to increase access
 1-56 to mental health professionals in this state, programs to increase
 1-57 the use of telemedicine in the treatment of behavioral health or
 1-58 mental health issues, and programs to provide loan repayment
 1-59 assistance and other funding for mental health professionals,
 1-60 including physicians and advanced practice nurses trained in the

2-1 prevention, diagnosis, and treatment of mental illness in children
2-2 and adolescents.

2-3 SECTION 2. Section 7-c, Article VIII, Texas Constitution,
2-4 is amended by adding Subsections (b-1), (d-1), and (d-2) to read as
2-5 follows:

2-6 (b-1) Subject to Subsections (d-1) and (d-2) of this
2-7 section, in each state fiscal year, the comptroller of public
2-8 accounts shall deposit to the credit of the Texas mental and
2-9 behavioral health research fund \$100 million of the net revenue
2-10 derived from the imposition of the state sales and use tax on the
2-11 sale, storage, use, or other consumption in this state of taxable
2-12 items under Chapter 151, Tax Code, or its successor, that exceeds
2-13 the amount of \$35.04 billion of that revenue coming into the
2-14 treasury for the state fiscal year beginning September 1, 2019, and
2-15 \$36.16 billion of that revenue coming into the state treasury in
2-16 each subsequent state fiscal year.

2-17 (d-1) The legislature by adoption of a resolution approved
2-18 by a record vote of two-thirds of the members of each house of the
2-19 legislature may direct the comptroller of public accounts to reduce
2-20 the amount of money deposited to the credit of the Texas mental and
2-21 behavioral health research fund under Subsection (b-1) of this
2-22 section. The comptroller may be directed to make that reduction
2-23 only:

2-24 (1) in the state fiscal year in which the resolution is
2-25 adopted, or in either of the following two state fiscal years; and

2-26 (2) by an amount or percentage that does not result in
2-27 a reduction of more than 50 percent of the amount that would
2-28 otherwise be deposited to the fund in the affected state fiscal year
2-29 under Subsection (b-1) of this section.

2-30 (d-2) The duty of the comptroller of public accounts to make
2-31 a deposit under Subsection (b-1) of this section expires August 31,
2-32 2030.

2-33 SECTION 3. This proposed constitutional amendment shall be
2-34 submitted to the voters at an election to be held November 5, 2019.
2-35 The ballot shall be printed to permit voting for or against the
2-36 proposition: "The constitutional amendment providing for the
2-37 dedication of certain sales and use tax revenue to the Texas mental
2-38 and behavioral health research fund established to fund research,
2-39 treatment, and access to services in this state for behavioral
2-40 health, mental health, and substance use and addiction issues."

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