

1-1 By: Johnson S.J.R. No. 82  
 1-2 (In the Senate - Filed March 9, 2023; March 21, 2023, read  
 1-3 first time and referred to Committee on Business & Commerce;  
 1-4 April 18, 2023, reported adversely, with favorable Committee  
 1-5 Substitute by the following vote: Yeas 10, Nays 0; April 18, 2023,  
 1-6 sent to printer.)

1-7 COMMITTEE VOTE

	Yea	Nay	Absent	PNV
1-8				
1-9	X			
1-10			X	
1-11	X			
1-12	X			
1-13	X			
1-14	X			
1-15	X			
1-16	X			
1-17	X			
1-18	X			
1-19	X			

1-20 COMMITTEE SUBSTITUTE FOR S.J.R. No. 82 By: Johnson

1-21 SENATE JOINT RESOLUTION

1-22 proposing a constitutional amendment providing for the creation of  
 1-23 the Texas power resiliency fund to finance backup power sources.

1-24 BE IT RESOLVED BY THE LEGISLATURE OF THE STATE OF TEXAS:

1-25 SECTION 1. Article III, Texas Constitution, is amended by  
 1-26 adding Section 49-q to read as follows:

1-27 Sec. 49-q. (a) The Texas power resiliency fund is created  
 1-28 as a special fund in the state treasury outside the general revenue  
 1-29 fund.

1-30 (b) As provided by general law, money in the Texas power  
 1-31 resiliency fund may be used without further appropriation and  
 1-32 administered only by the Texas Division of Emergency Management or  
 1-33 that division's successor in function to procure and deploy mobile  
 1-34 sources of backup power and to provide grants and loans to finance  
 1-35 the operation of backup power sources.

1-36 (c) The entity administering the Texas power resiliency  
 1-37 fund may establish separate accounts in the fund as necessary or  
 1-38 convenient for the fund's administration.

1-39 (d) The Texas power resiliency fund consists of:

1-40 (1) money credited, appropriated, or transferred to  
 1-41 the fund by the legislature;

1-42 (2) revenue that the legislature dedicates for deposit  
 1-43 to the credit of the fund;

1-44 (3) the returns received from the investment of the  
 1-45 money in the fund; and

1-46 (4) gifts, grants, and donations contributed to the  
 1-47 credit of the fund.

1-48 (e) The reasonable expenses of managing the fund's assets  
 1-49 shall be paid from the fund.

1-50 (f) For purposes of Section 22, Article VIII, of this  
 1-51 constitution:

1-52 (1) money in the Texas power resiliency fund is  
 1-53 dedicated by this constitution; and

1-54 (2) an appropriation of state tax revenues for the  
 1-55 purpose of depositing money to the credit of the Texas power  
 1-56 resiliency fund is treated as if it were an appropriation of  
 1-57 revenues dedicated by this constitution.

1-58 SECTION 2. This proposed constitutional amendment shall be  
 1-59 submitted to the voters at an election to be held November 7, 2023.  
 1-60 The ballot shall be printed to permit voting for or against the

2-1 proposition: "The constitutional amendment providing for the  
2-2 creation of the Texas power resiliency fund to finance backup power  
2-3 sources."

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