

By: Keffer

H.B. No. 2338

A BILL TO BE ENTITLED

AN ACT

relating to excepting certain appropriations from computations regarding the constitutional limitation on the rate of growth of appropriations.

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

SECTION 1. Section 316.001, Government Code, is amended to read as follows:

Sec. 316.001. LIMIT. The rate of growth of appropriations in a biennium from state tax revenues, other than state tax revenues ~~[not]~~ dedicated by the constitution and state tax revenues appropriated for the purpose of paying the principal of or interest on state debt, may not exceed the estimated rate of growth of the state's economy.

SECTION 2. Sections 316.002(a) and (e), Government Code, are amended to read as follows:

(a) Before the Legislative Budget Board submits the budget as prescribed by Section 322.008(c), the board shall establish:

(1) the estimated rate of growth of the state's economy from the current biennium to the next biennium;

(2) the level of appropriations for the current biennium from state tax revenues, other than state tax revenues ~~[not]~~ dedicated by the constitution and state tax revenues appropriated for the purpose of paying the principal of or interest on state debt; and

1 (3) the amount of state tax revenues, other than state
2 tax revenues [~~not~~] dedicated by the constitution and state tax
3 revenues appropriated for the purpose of paying the principal of or
4 interest on state debt, that could be appropriated for the next
5 biennium within the limit established by the estimated rate of
6 growth of the state's economy.

7 (e) In the absence of an action by the Legislative Budget
8 Board to adopt a spending limit as provided in Subsections (a) and
9 (b), the estimated rate of growth in the state's economy from the
10 current biennium to the next biennium shall be treated as if it were
11 zero, and the amount of state tax revenues, other than state tax
12 revenues [~~not~~] dedicated by the constitution and state tax revenues
13 appropriated for the purpose of paying the principal of or interest
14 on state debt, that could be appropriated within the limit
15 established by the estimated rate of growth in the state's economy
16 shall be the same as the level of appropriations for the current
17 biennium.

18 SECTION 3. Section 316.006, Government Code, is amended to
19 read as follows:

20 Sec. 316.006. LIMIT ON BUDGET RECOMMENDATIONS. Unless
21 authorized by majority vote of the members of the board from each
22 house, the Legislative Budget Board budget recommendations
23 relating to the proposed appropriations of state tax revenues,
24 other than state tax revenues [~~not~~] dedicated by the constitution
25 and state tax revenues appropriated for the purpose of paying the
26 principal of or interest on state debt, may not exceed the limit
27 adopted by the committee under Section 316.005.

SECTION 4. Section 316.007(a), Government Code, is amended to read as follows:

(a) The Legislative Budget Board shall include in its budget recommendations the proposed limit of appropriations from state tax revenues, other than state tax revenues [not] dedicated by the constitution and state tax revenues appropriated for the purpose of paying the principal of or interest on state debt.

SECTION 5. Section 316.008(a), Government Code, is amended to read as follows:

(a) Unless the legislature adopts a resolution under Section 22(b), Article VIII, [Section 22(b), of the] Texas Constitution, raising the proposed limit on appropriations, the proposed limit is binding on the legislature with respect to all appropriations for the next biennium made from state tax revenues, other than state tax revenues [not] dedicated by the constitution and state tax revenues appropriated for the purpose of paying the principal of or interest on state debt.

SECTION 6. (a) The changes in law made by this Act apply only in relation to appropriations made for the state fiscal biennium beginning September 1, 2017, and subsequent state fiscal bienniums.

(b) Appropriations for the state fiscal biennium that begins September 1, 2015, are governed by Subchapter A, Chapter 316, Government Code, as that subchapter provided immediately before the effective date of this Act, and the former law is continued in effect for that purpose.

SECTION 7. This Act takes effect on the effective date of

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1 the constitutional amendment proposed by the 84th Legislature,
2 Regular Session, 2015, excepting certain appropriations for
3 reducing state debt from the constitutional limitation on the rate
4 of growth of appropriations. If that amendment is not approved by
5 the voters, this Act has no effect.