

RESOLUTION ANALYSIS

H.J.R. 8
By: Otto
Appropriations
Committee Report (Unamended)

BACKGROUND AND PURPOSE

Interested parties note that the constitutional limit on the balance of the economic stabilization fund that is in effect for a given biennium prevents certain oil and gas production tax revenue in excess of a specified amount that otherwise would be deposited in the fund from being so deposited. The parties also note the state's current debt burden and suggest that money that otherwise would be deposited in the economic stabilization fund but for the constitutional limit on that fund could be applied toward an early retirement of state debt. H.J.R. 8 seeks to provide for the dedication of such funds.

CRIMINAL JUSTICE IMPACT

It is the committee's opinion that this resolution does not expressly create a criminal offense, increase the punishment for an existing criminal offense or category of offenses, or change the eligibility of a person for community supervision, parole, or mandatory supervision.

RULEMAKING AUTHORITY

It is the committee's opinion that this resolution does not expressly grant any additional rulemaking authority to a state officer, department, agency, or institution.

ANALYSIS

H.J.R. 8 proposes an amendment to the Texas Constitution to require the comptroller of public accounts to credit certain amounts to an account in the general revenue fund of the state treasury when acting to prevent the amount in the economic stabilization fund from exceeding the constitutional limit on the fund in effect for a biennium, which caps the fund at an amount equal to 10 percent of the total amount deposited in general revenue during the preceding biennium, less certain income and amounts, by reducing an amount transferred to the economic stabilization fund from general revenue or by crediting to general revenue interest due to the economic stabilization fund.

H.J.R. 8 requires the comptroller, if the comptroller reduces the amount transferred to the economic stabilization fund from the unencumbered positive balance of general revenues on the last day of the previous biennium or reduces the amount transferred to the fund from oil and gas production tax revenue, to credit to an account in the general revenue fund of the state treasury an amount of general revenue equal to the difference between the amount transferred to the economic stabilization fund and the amount that would have been transferred to that fund, as applicable, but for the constitutional limit on the amount in the economic stabilization fund.

H.J.R. 8 requires the comptroller, if the comptroller reduces the amount credited to the economic stabilization fund from interest due to the fund by the amount by which the fund otherwise would exceed the constitutional limit, to credit that amount to an account in the general revenue fund of the state treasury.

H.J.R. 8 restricts the use of the general revenue credited to the account in the general revenue fund of the state treasury under the resolution's provisions to appropriation only for the purpose of retiring state debt early.

ELECTION DATE

The constitutional amendment proposed by this joint resolution will be submitted to the voters at an election to be held November 3, 2015.