

RESOLUTION ANALYSIS

S.J.R. 12
By: Perry
Transportation
Committee Report (Unamended)

BACKGROUND AND PURPOSE

Informed parties assert that the legislature has nearly depleted general revenue support for transportation needs, with such support accounting for only a small fraction of the total needs of the Texas Department of Transportation (TxDOT). Although the Texas Constitution dedicates certain revenues to the state highway fund, there is concern that these funds are increasingly being allocated for purposes that are not directly related to transportation infrastructure. Citing large annual shortfalls in transportation funding and TxDOT's need to rely on the issuance of debt, the parties contend that it is time to ask the public to tell future legislatures that the dedicated revenues deposited to the state highway fund should be used only for infrastructure, meaning the acquisition of rights-of-way and the construction and maintenance of roadways. S.J.R. 12 seeks to address this issue.

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

S.J.R. 12 proposes an amendment to the Texas Constitution to remove from the purposes for which the net revenue derived from motor vehicle registration fees and all taxes, except gross production and property taxes, on motor fuels and lubricants may be used the policing of public roadways, the administration of laws pertaining to the supervision of traffic and safety on such roads, and the payment of the principal and interest on county and road district bonds or warrants voted or issued prior to January 2, 1939, and declared eligible prior to January 2, 1945, for payment out of the county and road district highway fund under existing law. The resolution removes the provision constitutionally dedicating all revenues received from the federal government as reimbursement for state expenditures of funds dedicated for policing public roadways.

S.J.R. 12 includes a temporary provision, set to expire September 2, 2017, to specify that the resolution's provisions apply only in connection with a state fiscal biennium that begins on or after September 1, 2017.

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.