

RESOLUTION ANALYSIS

C.S.S.J.R. 74
By: Parker
Culture, Recreation & Tourism
Committee Report (Substituted)

BACKGROUND AND PURPOSE

Currently, the Parks and Wildlife Department (TPWD) leases, or partially leases, land from private corporations to create certain state parks. As a result, there have been incidents where land leased by the state for a park was sold to a private entity, shutting down the park in the process. If the state had a dedicated fund to use for purchasing new land, TPWD would have the ability to make sustainable investments in new parks. C.S.S.J.R. 74 seeks to address this issue by proposing a constitutional amendment to establish the centennial parks conservation fund, which will provide a dedicated funding source for the creation and improvement of state parks in Texas. C.S.S.J.R. 74 will afford voters the opportunity to ensure that Texans and visitors to the state can continue to enjoy the beauty of Texas' parks for generations to come.

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

C.S.S.J.R. 74 proposes an amendment to the Texas Constitution to establish the centennial parks conservation fund as a trust fund outside the treasury. The bill authorizes the fund to be used, in accordance with general law, only for the creation and improvement of state parks. The fund consists of the following:

- money appropriated to the fund;
- money transferred or deposited to the credit of the fund by general law;
- investment earnings and interest earned on amounts credited to the fund; and
- gifts, grants and donations received for the fund.

C.S.S.J.R. 74 authorizes the legislature to appropriate money from the fund to the Parks and Wildlife Department (TPWD) or its successor in function for the purposes prescribed for the fund by the resolution's provisions and general law. The bill establishes the following for purposes of the constitutional restriction on the rate of growth of appropriations:

- money in the fund is dedicated by the Texas Constitution; and
- an appropriation of state tax revenues for the purpose of depositing money to the credit of the fund is treated as if it were an appropriation of revenues dedicated by the constitution.

The resolution requires the comptroller of public accounts to transfer on January 1, 2024, \$1 billion of the unencumbered balance of the general revenue fund that exists on that date to the fund. This requirement expires December 31, 2024.

ELECTION DATE

The constitutional amendment proposed by this joint resolution will be submitted to the voters at an election to be held November 7, 2023.

COMPARISON OF SENATE ENGROSSED AND SUBSTITUTE

While C.S.S.J.R. 74 may differ from the engrossed in minor or nonsubstantive ways, the following summarizes the substantial differences between the engrossed and committee substitute versions of the resolution.

The substitute omits the provision in the engrossed that requires the reasonable expenses of managing the fund and its assets to be paid from the fund.

The substitute includes a provision not in the engrossed that requires the comptroller to transfer on January 1, 2024, \$1 billion of the unencumbered balance of the general revenue fund that exists on that date to the fund and establishes that this requirement expires December 31, 2024.