

BILL ANALYSIS

Senate Research Center
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S.J.R. 67
By: Ogden
Transportation & Homeland Security
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As Filed

AUTHOR'S / SPONSOR'S STATEMENT OF INTENT

S.J.R. 67 proposes a constitutional amendment to allow the legislature to authorize the Texas Transportation Commission to designate a transportation finance zone (TFZ) in the area within two miles on either side of the center line of a state highway, with legislative review and approval. This bill also requires the sales and use tax collected within the boundaries of a TFZ to be deposited into a separate account in the Texas Mobility Fund (fund) to be used for the sole purpose of paying the principal of and interest on obligations connected with the state highway that is located in the TFZ. This bill prohibits the comptroller of public accounts from crediting more than \$250 million in any fiscal year to the credit of the fund. The enabling legislation for this bill is S.B. 2051, 80th Legislature, Regular Session, 2007.

RULEMAKING AUTHORITY

Rulemaking authority is expressly granted to the Texas Transportation Commission and the comptroller of public accounts in SECTION 1 (Section 49-k, Article III, Texas Constitution) of this bill.

SECTION BY SECTION ANALYSIS

SECTION 1. Amends Section 49-k, Article III, Texas Constitution, by adding Subsection (e-1), as follows:

(e-1) Authorizes the legislature by general law to authorize the Texas Transportation Commission (commission) by rule to designate as a transportation finance zone (TFZ) the area that is adjacent to the right-of-way of an existing or proposed state highway and within two miles on either side of the center line of the state highway, if in connection with construction, reconstruction, or expansion of the state highway, including design and right-of-way acquisition costs, the commission has or proposes to issue and sell obligations or enter into credit agreements under Subsection (d) of this section (Texas Mobility Fund). Requires the designation of an area as a TFZ to be reviewed and approved by the legislature before the designation may take effect.

Dedicates to the Texas Mobility Fund (fund) the proceeds of a tax that is established by general law and imposed on the first sale of a taxable item in this state or on the first storage, use, or other consumption in this state of a taxable item purchased from a retailer for storage, use, or other consumption in this state, if the first sale or first use is consummated within the boundaries of a transportation finance zone. Requires all proceeds from the taxes to which this subsection applies that are collected within the boundaries of a TFZ to be deposited to the credit of a separate account in the fund, except as provided by this subsection. Authorizes money collected within the boundaries of a TFZ and deposited to the credit of the fund under this subsection to be used only for the purpose of paying the principal of an interest on obligations issued under Subsection (d) of this section or a related credit agreement entered into under that subsection in connection with the state highway that is located in that TFZ.

Prohibits the comptroller of public accounts (comptroller), in any state fiscal year, from crediting more than \$250 million to the credit of the fund under this subsection. Authorizes the commission and the comptroller to adopt rules and procedures to implement and administer this subsection.

SECTION 2. Requires the proposed constitutional amendment to be submitted to the voters at an election to be held November 6, 2007. Sets forth the required language of the ballot.