

BILL ANALYSIS

Senate Research Center
81R4623 MTB-D

S.J.R. 52
By: Davis, Wendy
Transportation & Homeland Security
4/4/2009
As Filed

AUTHOR'S / SPONSOR'S STATEMENT OF INTENT

Section 7-a (Revenues From Motor Vehicle Registration Fees and Taxes on Motor Fuels and Lubricants; Purposes For Which Used), Article VIII (Taxation and Revenue), of the Texas Constitution restricts funds collected from motor vehicle registration fees and motor fuels taxes for use on a variety of transportation purposes. These include acquiring rights-of-way, constructing, maintaining, and policing public roadways, and traffic safety purposes on such roads.

As proposed, S.J.R. 52 proposes an amendment to Article VIII, Texas Constitution, that would permit certain funds to also be used for passenger rail, transit, and freight rail purposes.

RULEMAKING AUTHORITY

This bill does not expressly grant any additional rulemaking authority to a state officer, institution, or agency.

SECTION BY SECTION ANALYSIS

SECTION 1. Amends Section 7-a, Article VIII, Texas Constitution, as follows:

Sec. 7-a. Requires that all net revenues remaining after payment of all refunds allowed by law and expenses of collection derived from motor vehicle registration fees, and all taxes, except gross production and ad valorem taxes, on motor fuels and lubricants used to propel motor vehicles over public roadways, subject to legislative appropriation, be used for the sole purpose of acquiring rights-of-way, constructing, maintaining, and policing such public roadways, and for the administration of such laws as may be prescribed by the Legislature pertaining to the supervision of traffic and safety on such roads; and for the purpose of constructing, maintaining, and operating passenger rail, transit, and freight rail, rather than for 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; provided, however, that certain amounts of net revenue are allocated in a certain area.

SECTION 2. Requires that this proposed constitutional amendment be submitted to the voters at an election to be held November 3, 2009. Sets forth the required language for the ballot.