

## **BILL ANALYSIS**

Senate Research Center  
86R9697 BRG-D

S.B. 962  
By: Nichols  
Finance  
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As Filed

### **AUTHOR'S / SPONSOR'S STATEMENT OF INTENT**

On November 4, 2014, 80 percent of Texas voters approved the ballot measure known as Proposition 1, which authorized a constitutional amendment for transportation funding. Under the amendment, a portion of existing oil and natural gas production taxes (also known as severance taxes) would be divided evenly between the Economic Stabilization Fund (ESF) and the State Highway Fund (SHF). Pursuant to Section 49-g(c), Article III, Texas Constitution, the funds may only be used for "constructing, maintaining, and acquiring rights-of-way for public roadways other than toll roads."

S.J.R. 1 amended the constitution to include Proposition 1 funding, and H.B. 1 created a sufficient balance committee to determine a minimum balance of the ESF before transfers of severance taxes to the SHF may begin to occur. H.B. 1 included a sunset date of December 31, 2024. The legislature passed both pieces of legislation in the 83rd Legislature (3rd Called Session).

S.B. 962 would eliminate the sunset date of December 31, 2024.

As proposed, S.B. 962 amends current law relating to the determination of the sufficient balance of the economic stabilization fund for purposes of allocating general revenue to that fund and the state highway fund.

### **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 Sections 316.092(a), (b), and (c), Government Code, as follows:

(a) Requires the speaker of the house of representatives and the lieutenant governor, not later than September 1 of each even-numbered year, rather than not later than September 1 of each even-numbered year in which this section expires as provided by Subsection (e), to appoint a select committee as follows:

(1)–(2) makes no changes to these subdivisions.

(b) Requires the select committee, for the purposes of Section 49-g(c-2), Article III, Texas Constitution, not later than December 1 of each even-numbered year, rather than each even-numbered year preceding the year in which this section expires as provided by Subsection (e), to determine and adopt for the next state fiscal biennium a sufficient balance of the economic stabilization fund (fund) in an amount that the committee estimates will ensure an appropriate amount of revenue available in the fund.

(c) Requires the Texas comptroller of public accounts, on or before October 1 of each even-numbered year, rather than each even-numbered year preceding the year in which this section expires as provided by Subsection (e), to provide to the select committee the

comptroller's projection of the amounts to be transferred to the fund during the next state fiscal biennium.

SECTION 2. Repealer: Section 316.092(e) (relating to the expiration date of the section), Government Code.

Repealer: Section 316.093(e) (relating to a requirement that the comptroller adjust the allocation of amounts to be transferred to the economic stabilization fund and to the state highway fund), Government Code.

Repealer: Section 316.093(f) (relating to the expiration date of the subsection and certain other subsections of the section), Government Code.

Repealer: Section 404.0241(d) (relating to the expiration date of the section), Government Code.

SECTION 3. Effective date: September 1, 2019.