

A JOINT RESOLUTION

proposing a constitutional amendment allowing a state mandate imposed on a county to have effect only if the state provides for the payment to the county of the cost of the mandate.

1 BE IT RESOLVED BY THE LEGISLATURE OF THE STATE OF TEXAS:

2 SECTION 1. Article III, Texas Constitution, is amended by  
3 adding Section 66 to read as follows:

4 Sec. 66. (a) A mandate adopted on or after January 1, 2004,  
5 by the legislature or by rule of a state agency that requires a  
6 county to establish, expand, or modify an activity in any way that  
7 requires the expenditure of revenue by the county that would not  
8 have been required in the absence of the statute or rule is  
9 effective only if the legislature appropriates or otherwise  
10 provides for payment or reimbursement to the county of the costs  
11 incurred by the county in complying with the requirement.

12 (b) This section does not apply to a mandate:

13 (1) imposed by the legislature or a state agency to  
14 comply with a requirement of this constitution, federal law, or a  
15 court order; or

16 (2) approved by the voters of this state at a general  
17 election.

18 SECTION 2. This proposed constitutional amendment shall be  
19 submitted to the voters at an election to be held November 4, 2003.

20 The ballot shall be printed to permit voting for or against the  
21 proposition: "The constitutional amendment allowing a state  
22 mandate imposed on a county to have effect only if the state  
23 provides for the payment to the county of the cost of the mandate."