

# Proposition 14

(S.J.R. 74, 88th Leg., R.S.)

The constitutional amendment providing for the creation of the centennial parks conservation fund to be used for the creation and improvement of state parks.

## SUMMARY ANALYSIS

S.J.R. 74, 88th Legislature, Regular Session, 2023, proposes the addition of Section 49-e-1, Article III, Texas Constitution, to provide for the creation of the centennial parks conservation fund to be used for the creation and improvement of state parks.

## BACKGROUND AND DETAILED ANALYSIS

The Texas state parks system has traditionally been funded by a combination of user fees, such as park entrance fees, and legislative appropriations. In 2019, Texas voters approved a constitutional amendment to add Section 7-d to Article VIII, Texas Constitution, dedicating a portion of the state sales taxes on sporting goods to provide a revenue stream to the Parks and Wildlife Department. The constitutional amendment proposed by S.J.R. 74, 88th Legislature, Regular Session, 2023, adding Section 49-e-1, Article III, Texas Constitution, would create the centennial parks conservation fund to provide an additional dedicated funding source for Texas' state parks. The proposed fund, named in recognition of the 100th anniversary of the establishment of the state park system, would be created as a trust fund outside the treasury and would authorize the use of the fund only for the creation and improvement of state parks, in accordance with general law, and to pay the reasonable expenses of managing the fund and its assets. The fund would consist of: (1) money appropriated, credited, or transferred to the fund by the legislature; (2) gifts, grants, and donations received by the Parks and Wildlife Department or the department's successor in function for a purpose for which money in the fund may be used under the constitutional provision; and (3) investment earnings and interest earned on amounts credited to the fund.

The proposed amendment also provides that for purposes of the restriction on the rate of growth of appropriations established by Section 22, Article VIII, Texas Constitution, money in the fund would be dedicated by the Texas Constitution and an appropriation of state tax revenues to the fund would be treated as if it were an appropriation of revenues dedicated by the Texas Constitution.

Enacted in 2023 by the 88th Legislature in the Regular Session, S.B. 1648 is the enabling legislation for S.J.R. 74. The bill addresses in more detail the administration of the centennial parks conservation fund and takes effect only if S.J.R. 74 is approved by the voters at an election to be held November 7, 2023.

The 2023 General Appropriations Act appropriates \$1 billion to the Parks and Wildlife Department for the centennial parks conservation fund for the state fiscal year ending August 1, 2024. The appropriation is contingent on enactment of S.B. 1648 and voter approval of this constitutional amendment. See Rider 45, page VI-51, H.B. 1, 88th Legislature, Regular Session, 2023.

## **SUMMARY OF COMMENTS**

The following comments supporting or opposing the proposed amendment reflect positions that were presented in committee proceedings, during house or senate floor debate, or in the analysis of the resolution prepared by the House Research Organization (HRO) when the resolution was considered by the House of Representatives.

### **Comments by Supporters**

- Establishing a dedicated state fund for the purchase of land to develop new state parks would provide a stable and long-term funding source that will empower the state to protect Texas' unique natural resources and cultural history while making them accessible to our growing population.
- S.J.R. 74 would afford voters the opportunity to ensure that Texans and visitors alike can continue to enjoy the beauty of Texas' parks for generations to come.
- Texas has lower park acreage per capita than many other states, and visitation to Texas' parks has grown significantly in recent years.

- The current state park system is strained by user demand, with the vast majority of sites requiring reservations months in advance.
- The fund created by the proposed amendment would enable the state to purchase land for the development of new parks before land becomes more costly.
- State parks are a driver of economic activity and provide recreational, educational, and conservation opportunities.

### **Comments by Opponents**

- No opposition to the proposed constitutional amendment was expressed during legislative consideration of the proposal.

**Text of S.J.R. 74**

SENATE JOINT RESOLUTION

proposing a constitutional amendment providing for the creation of the centennial parks conservation fund.

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

SECTION 1. Article III, Texas Constitution, is amended by adding Section 49-e-1 to read as follows:

Sec. 49-e-1. (a) The centennial parks conservation fund is established as a trust fund outside the treasury. In accordance with general law, the fund may be used only for the creation and improvement of state parks.

(b) The centennial parks conservation fund consists of:

(1) money appropriated, credited, or transferred to the fund by the legislature;

(2) gifts, grants, and donations received by the Parks and Wildlife Department or the department's successor in function for a purpose for which money in the fund may be used under this section; and

(3) investment earnings and interest earned on amounts credited to the fund.

(c) The legislature may appropriate money from the centennial parks conservation fund to the Parks and Wildlife Department or the department's successor in function for the purposes prescribed for the fund by this section and general law.

(d) For purposes of Section 22, Article VIII, of this constitution:

(1) money in the centennial parks conservation fund is dedicated by this constitution; and

(2) 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 this constitution.

(e) The reasonable expenses of managing the fund and its assets shall be paid from the fund.

SECTION 2. This proposed constitutional amendment shall be submitted to the voters at an election to be held November 7, 2023. The ballot shall be printed to permit voting for or against the proposition: "The constitutional amendment

providing for the creation of the centennial parks conservation fund to be used for the creation and improvement of state parks.”

Senate Author: Parker

House Sponsor: Walle et al.

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