

RESOLUTION ANALYSIS

C.S.H.J.R. 5
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Public Health
Committee Report (Substituted)

BACKGROUND AND PURPOSE

Concerns have been raised about a lack of funding for research, treatment, and access to services for behavioral health, mental health, and substance abuse and addiction issues in Texas. C.S.H.J.R. 5 seeks to address these concerns by providing for the issuance of general obligation bonds by the Texas Public Finance Authority to fund research into, treatment of, and access to those services.

CRIMINAL JUSTICE IMPACT

It is the committee's opinion that this resolution does not expressly create a criminal offense, increase the punishment for an existing criminal offense or category of offenses, or change the eligibility of a person for community supervision, parole, or mandatory supervision.

RULEMAKING AUTHORITY

It is the committee's opinion that this resolution does not expressly grant any additional rulemaking authority to a state officer, department, agency, or institution.

ANALYSIS

C.S.H.J.R. 5 proposes an amendment to the Texas Constitution to authorize the legislature by general law to authorize the Texas Public Finance Authority (TPFA) or its successor to provide for, issue, and sell general state obligation bonds and to enter into related credit agreements for the purpose of funding programs to address the shortage of mental health professionals in Texas, including programs to increase access to such professionals in Texas, and to research the following:

- behavioral health issues generally;
- substance use and addiction issues; and
- behavioral health and mental health issues affecting children and adolescents.

The resolution prescribes the specific elements to be included as part of that research. The resolution prohibits TPFA from issuing or selling general obligation bonds in an amount that exceeds \$3 billion and from issuing in a year more than \$500 million in bonds.

C.S.H.J.R. 5 requires proceeds from the sale of the bonds to be deposited in separate funds or accounts, as provided by general law, in the state treasury to be used by the Health and Human Services Commission or its successor to provide grants to public or private institutions of higher education in Texas or other state agencies or government entities for the purposes for which the resolution authorizes program funding. The resolution authorizes the bond proceeds to be used to pay the costs of issuing the bonds and any administrative expense related to the bonds. The resolution, while any of the bonds or interest on the bonds is outstanding and unpaid, appropriates, from the first money coming into the state treasury in each fiscal year not otherwise constitutionally appropriated, an amount sufficient to pay the principal of and interest on bonds that mature or become due during the fiscal year and to make payments that become due under a related credit agreement during the fiscal year, less the amount in the sinking fund at the close of

the previous fiscal year. Bonds issued under the resolution's provisions, after approval by the attorney general, registration by the comptroller of public accounts, and delivery to the purchasers, are incontestable and are general state obligations under the Texas Constitution.

ELECTION DATE

The constitutional amendment proposed by this joint resolution will be submitted to the voters at an election to be held November 5, 2019.

COMPARISON OF ORIGINAL AND SUBSTITUTE

While C.S.H.J.R. 5 may differ from the original in minor or nonsubstantive ways, the following summarizes the substantial differences between the introduced and committee substitute versions of the resolution.

The substitute does not specify addressing the shortage of mental health professionals with respect to rural areas of the state.

The substitute includes limitations on the amount of the bonds TPFA may issue.