

By: Orr, Aycock, Hochberg, Pitts, Otto,  
et al.

H.J.R. No. 109

Substitute the following for H.J.R. No. 109:

By: Pitts

C.S.H.J.R. No. 109

A JOINT RESOLUTION

1 proposing a constitutional amendment to clarify references to the  
2 permanent school fund and to allow the legislature by general law to  
3 direct the General Land Office to distribute revenue derived from  
4 permanent school fund land or properties to the available school  
5 fund.

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

7 SECTION 1. Section 49-b(h), Article III, Texas  
8 Constitution, is amended to read as follows:

9 (h) Lands purchased and comprising a part of the Veterans'  
10 Land Fund are declared to be held for a governmental purpose, but  
11 the individual purchasers of those lands shall be subject to  
12 taxation to the same extent and in the same manner as are purchasers  
13 of lands dedicated to the Permanent [~~Free Public~~] School Fund. The  
14 lands shall be sold to veterans in quantities, on terms, at prices,  
15 and at fixed, variable, floating, or other rates of interest,  
16 determined by the Board and in accordance with rules of the Board.  
17 Notwithstanding any provisions of this section to the contrary,  
18 lands in the Veterans' Land Fund that are offered for sale to  
19 veterans and that are not sold may be sold or resold to the  
20 purchasers in quantities, on terms, at prices, and at rates of  
21 interest determined by the Board and in accordance with rules of the  
22 Board.

23 SECTION 2. Sections 2 and 4, Article VII, Texas  
24 Constitution, are amended to read as follows:

1           Sec. 2. All funds, lands and other property heretofore set  
2 apart and appropriated for the support of public schools; all the  
3 alternate sections of land reserved by the State out of grants  
4 heretofore made or that may hereafter be made to railroads or other  
5 corporations of any nature whatsoever; one half of the public  
6 domain of the State; and all sums of money that may come to the State  
7 from the sale of any portion of the same, shall constitute a  
8 permanent [~~perpetual public~~] school fund.

9           Sec. 4. The lands herein set apart to the Permanent [~~Public~~  
10 ~~Free~~] School fund, shall be sold under such regulations, at such  
11 times, and on such terms as may be prescribed by law; and the  
12 Legislature shall not have power to grant any relief to purchasers  
13 thereof. The proceeds of such sales must be used to acquire other  
14 land for the Permanent [~~Public-Free~~] School fund as provided by law  
15 or the proceeds shall be invested by the comptroller of public  
16 accounts, as may be directed by the Board of Education herein  
17 provided for, in the bonds of the United States, the State of Texas,  
18 or counties in said State, or in such other securities, and under  
19 such restrictions as may be prescribed by law; and the State shall  
20 be responsible for all investments.

21           SECTION 3. Section 5, Article VII, Texas Constitution, is  
22 amended by adding Subsection (g) to read as follows:

23           (g) Notwithstanding any other provision of this  
24 constitution or of a statute, the legislature by general law may  
25 direct the General Land Office or an entity other than the State  
26 Board of Education that has responsibility for the management of  
27 permanent school fund land or other properties to distribute to the

1 available school fund each year not more than 50 percent of the net  
2 revenue derived during that year from the land or properties.

3 SECTION 4. This proposed constitutional amendment shall be  
4 submitted to the voters at an election to be held November 8, 2011.  
5 The ballot shall be printed to provide for voting for or against the  
6 proposition: "The constitutional amendment clarifying references  
7 to the permanent school fund and allowing the legislature by  
8 general law to direct the General Land Office to distribute revenue  
9 from permanent school fund land or other properties to the  
10 available school fund."