

By: Orr

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 General Land Office to
3 distribute revenue derived from permanent school fund land or
4 properties to the available school fund.

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

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

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

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

24 Sec. 2. All funds, lands and other property heretofore set

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

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

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

22 (g) Notwithstanding any other provision of this
23 constitution or of a statute, the General Land Office or an entity
24 other than the State Board of Education that has responsibility for
25 the management of permanent school fund land or other properties
26 may distribute to the available school fund all revenue derived
27 from the land or properties.

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