1-1   By: Ogden   S.J.R. No. 11
1-2   (In the Senate - Filed August 3, 2005; August 4, 2005, read
1-3   first time and referred to Committee on Finance; August 5, 2005,
1-4   reported favorably by the following vote: Yeas 10, Nays 1;
1-5   August 5, 2005, sent to printer.)

1-6   SENATE JOINT RESOLUTION

1-7   proposing a constitutional amendment establishing a maximum tax
1-8   rate of $1.25 per $100 of taxable value for school district ad
1-9   valorem taxes for maintenance purposes and providing that an ad
1-10   valorem tax imposed by a school district is not a state ad valorem
1-11   tax.
1-12   BE IT RESOLVED BY THE LEGISLATURE OF THE STATE OF TEXAS:
1-13   SECTION 1.   Section 3, Article VII, Texas Constitution, is
1-14   amended by amending Subsections (d) and (e) and adding Subsections
1-15   (f) and (g) to read as follows:
1-16   (d)   The Legislature may provide for the formation of school
1-17   districts by general laws, and all such school districts may
1-18   embrace parts of two or more counties.
1-19   [(e)]   The Legislature by general law may provide [shall be
1-20   authorized to pass laws for the assessment and collection of taxes
1-21   in all school districts and] for the management and control of the
1-22   public [school or] schools of such districts.
1-23   (e)   The[, whether such districts are composed of territory
1-24   wholly within a county or in parts of two or more counties, and the]
1-25   Legislature may authorize an [additional] ad valorem tax to be
1-26   levied and collected within all school districts for the [further]
1-27   maintenance of public free schools at a rate not to exceed $1.25 for
1-28   each $100 of taxable value of property in the district, and may
1-29   authorize an additional ad valorem tax for the erection and
1-30   equipment of school buildings.   A school district may not levy or
1-31   collect a tax under this subsection unless the tax is approved by
1-32   [therein; provided that] a majority of the qualified voters of the
1-33   district voting at an election to be held for that purpose[, shall
1-34   approve the tax].   A tax levied and collected by a school district
1-35   under this subsection is not a state ad valorem tax within the
1-36   meaning of Section 1-e, Article VIII, of this constitution.
1-37   (f)   The Legislature may pass laws for the creation of junior
1-38   college districts, the management and control of those districts,
1-39   and the imposition of ad valorem taxes in those districts. A junior
1-40   college district may not impose a tax under this subsection unless
1-41   the tax is approved by a majority of the qualified voters of the
1-42   district voting at an election held for that purpose.   A junior
1-43   college district is not a school district for purposes of this
1-44   section.
1-45   (g)   An ad valorem tax approved by the voters of a junior
1-46   college district under this section on or before January 1, 2007,
1-47   is not affected by the amendment of this section approved by the
1-48   voters at an election held on November 8, 2005, and the junior
1-49   college district is not required to hold a new election to authorize
1-50   the existing tax. This subsection expires January 1, 2008.
1-51   SECTION 2.   The following temporary provision is added to
1-52   the Texas Constitution:
1-53   TEMPORARY PROVISION.   (a)   This temporary provision applies
1-54   to the constitutional amendment proposed by the 79th Legislature,
1-55   2nd Called Session, 2005, limiting school district ad valorem taxes
1-56   for maintenance purposes and providing that an ad valorem tax
1-57   imposed by a school district is not a state ad valorem tax and
1-58   expires January 1, 2008.
1-59   (b)   Except as provided by Subsection (c) of this temporary
1-60   provision, the amendment to Section 3, Article VII, of this
1-61   constitution takes effect December 1, 2005.
1-62   (c)   The limitation on the maximum school district tax rate
1-63   for the maintenance of public free schools prescribed by Section
1-64   3(e), Article VII, of this constitution takes effect January 1,

2-1 2007, and applies only to a tax year that begins on or after that
2-2 date.
2-3   SECTION 3. This proposed constitutional amendment shall be
2-4 submitted to the voters at an election to be held November 8, 2005.
2-5 The ballot shall be printed to permit voting for or against the
2-6 proposition: "The constitutional amendment establishing a maximum
2-7 tax rate of $1.25 per $100 of taxable value for school district ad
2-8 valorem taxes imposed for maintenance purposes and providing that
2-9 an ad valorem tax imposed by a school district is not a state ad
2-10 valorem tax."

2-11   * * * * *