

By: Raymond

H.J.R. No. 142

Substitute the following for H.J.R. No. 142:

By: Gonzales

C.S.H.J.R. No. 142

A JOINT RESOLUTION

1 proposing a constitutional amendment relating to the disposition of
2 proceeds from the development or sale of the rights to natural
3 resources or minerals in land held by Webb County for the county
4 permanent school fund.

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

6 SECTION 1. Section 6, Article VII, Texas Constitution, is
7 amended to read as follows:

8 Sec. 6. (a) All lands heretofore, or hereafter granted to
9 the several counties of this State for educational purposes, are of
10 right the property of said counties respectively, to which they
11 were granted, and title thereto is vested in said counties, and no
12 adverse possession or limitation shall ever be available against
13 the title of any county. Each county may sell or dispose of its
14 lands in whole or in part, in manner to be provided by the
15 Commissioners Court of the county. Said lands, and, except as
16 provided by Subsection (b) of this section, the proceeds thereof,
17 when sold, shall be held by said counties alone as a trust for the
18 benefit of public schools therein; said proceeds to be invested in
19 bonds of the United States, the State of Texas, or counties in said
20 State, or in such other securities, and under such restrictions as
21 may be prescribed by law; and the counties shall be responsible for
22 all investments; the interest thereon, and other revenue, except
23 the principal shall be available fund.

24 (b) Webb County may:

1 (1) develop or sell the rights to natural resources or
2 minerals in lands held in trust by Webb County under this section;
3 and

4 (2) enter into an agreement with the school districts
5 for which the lands are held in trust that allows Webb County to:

6 (A) obtain from the proceeds of a disposition
7 under Subdivision (1) of this subsection reimbursement of
8 reasonable and necessary expenses incurred by Webb County in
9 connection with the disposition; and

10 (B) distribute the proceeds remaining after
11 reimbursement under Paragraph (A) of this subdivision to each
12 school district for which the lands are held in trust according to
13 each school district's scholastic population.

14 SECTION 2. This proposed constitutional amendment shall be
15 submitted to the voters at an election to be held November 3, 2009.
16 The ballot shall be printed to permit voting for or against the
17 proposition: "The constitutional amendment to authorize Webb
18 County to obtain proceeds of the county permanent school fund and
19 recover expenses from proceeds of the county permanent school fund
20 incurred by the county in a transaction to develop or sell the
21 rights to natural resources or minerals in county permanent school
22 fund property and distribute the proceeds remaining after
23 reimbursement to the school districts for which the property is
24 held in trust."