

By: Raymond

H.J.R. No. 143

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           (c) For Webb County to obtain reimbursement of reasonable  
15 and necessary expenses incurred in connection with a disposition  
16 under Subsection (b)(1) of this section under an agreement as  
17 provided by Subsection (b)(2)(A) of this section, the agreement  
18 must be executed by Webb County and the school districts for which  
19 the lands are held in trust before Webb County incurs the expenses  
20 in connection with the disposition.

21           SECTION 2. This proposed constitutional amendment shall be  
22 submitted to the voters at an election to be held November 8, 2011.  
23 The ballot shall be printed to permit voting for or against the  
24 proposition: "The constitutional amendment to authorize Webb  
25 County to obtain proceeds of the county permanent school fund and  
26 recover from proceeds of the county permanent school fund expenses  
27 incurred by the county in a transaction to develop or sell the

1 rights to natural resources or minerals in county permanent school  
2 fund property and distribute the proceeds remaining after  
3 reimbursement to the school districts for which the property is  
4 held in trust."