

## Proposition 1: Establishing the right to engage in certain agricultural practices

*H.J.R. 126, 88th Regular Session*

**Summary:** Creates a new right for people to engage in generally accepted farm, ranch, timber production, horticulture, and wildlife management practices on land they own or lease.

**Supporters say:** As the state's population continues to grow and the demand for food increases, it is important to prevent municipal overregulation that could threaten agricultural production.

**Opponents say:** Limiting governments' abilities to set reasonable standards regarding food safety, water pollution, and animal welfare would enable large, industrial factory farms to operate with less accountability, which also could undermine smaller family farms.

## Proposition 2: Authorizing property tax exemptions for child-care facilities

*S.J.R. 64, 88th Regular Session*

**Summary:** Authorizes the governing body of a county or municipality to exempt from ad valorem taxation all or part of the appraised value of real property used to operate a child-care facility.

**Supporters say:** Inflationary costs are making it hard for child-care facilities to stay in business, and many facilities in Texas have closed in recent years. This leaves working families with fewer options for child care.

**Opponents say:** No opposition to the proposed constitutional amendment was expressed during legislative consideration of the proposal.

## Proposition 3: Prohibiting a tax on the net worth or wealth of individuals

*H.J.R. 132, 88th Regular Session*

**Summary:** Prohibits the legislature from imposing a tax on the wealth or net worth of individuals or families. The prohibition would specifically cover a tax on the amount equal to the difference between the assets and liabilities of an individual or family.

**Supporters say:** Enshrining a ban on a wealth tax in the Texas Constitution now will ensure that a future legislature cannot impose such a tax without the consent of voters.

**Opponents say:** The current legislature cannot anticipate how the needs of the state will change over time, so it would be better to let future legislatures decide how to address future needs. A constitutional ban means that even if a majority of people support a wealth tax in the future, a minority of legislators in either chamber could block it.

## Proposition 4: Authorizing the Legislature to establish certain property tax relief measures

*H.J.R. 2, 88th Second Called Session*

**Summary:** Proposes several amendments to the Texas Constitution relating to ad valorem taxes and the administration of the ad valorem tax system: (1) Authorizes the legislature to establish a temporary limit on the maximum appraised value of real property other than a residence homestead; (2) increases the portion of the market value of a residence homestead that is exempt from ad valorem taxation for public school purposes from \$40,000 to \$100,000; (3) provides for a reduction of the limitation, or "tax freeze," on the total amount of ad valorem taxes that may be imposed for public school purposes on the homestead of an elderly or disabled person; (4) excepts appropriations of state tax revenue for purposes of paying for ad valorem tax relief from the constitutional limit on the rate of growth of appropriations; and (5) provides for four-year terms for members of the governing body of an appraisal district established for a county with a population of 75,000 or more.

**Supporters say:** At a time in which many Texans are struggling to stay in their homes due to rapidly increasing property tax burdens, it is appropriate for the state to step in and dedicate money to help alleviate this burden.

**Opponents say:** The proposed tax relief is not targeted enough to those who are struggling the most. The state's historic budget surplus should not be funneled directly to businesses and the wealthy.

## Proposition 5: Establishing the Texas University Fund for emerging research universities

*H.J.R. 3, 88th Regular Session*

**Summary:** Renames the national research university fund, which is used to support emerging research universities in Texas, as the Texas University Fund. The amendment would exclude state universities that are supported by the Permanent University Fund (PUF) from eligibility to receive money from the Texas University Fund. The proposed amendment further provides for a dedicated source of revenue for the Texas University Fund from the interest income, dividends, and investment earnings attributable to the state's economic stabilization fund ("rainy day fund"), not to exceed \$100 million per state fiscal year.

**Supporters say:** Providing a predictable and sustainable source of funding for high-quality research at universities in Texas that do not have access to the Permanent University Fund will help ensure that the future workforce needs of the state are met and that the state's economy continues to grow.

**Opponents say:** No opposition to the proposed constitutional amendment was expressed during legislative consideration of the proposal. However, a review of other sources indicates concern about the use of money from the economic stabilization fund (often referred to as the "rainy day fund") to fund higher education initiatives since that fund was not designed for such purposes.

## Proposition 6: Creating the Texas Water Fund for financing water projects

*S.J.R. 75, 88th Regular Session*

**Summary:** Creates the Texas Water Fund as a special fund in the state treasury outside the general revenue fund to be administered by the Texas Water Development Board or that board's successor in function. The resolution provides that not less than 25 percent of the initial appropriation to the fund must be used for transfer to the New Water Supply for Texas Fund.

**Supporters say:** Texas is in need of significant financial investment in water infrastructure and water supply development to address both aging infrastructure, the failure of which causes the state to lose an estimated 136 billion gallons of water each year and often subjects Texans to boil water notices, and the need for new water supply projects to support Texas' growing population amid perennial drought conditions that deplete existing water sources.

**Opponents say:** The Texas Water Development Board should be able to address the state's water needs without the creation of new programs.

## Proposition 7: Establishing the Texas Energy Fund for electric facility construction and upgrades

*S.J.R. 93, 88th Regular Session*

**Summary:** Provides for the creation of the Texas Energy Fund to support the construction, maintenance, modernization, and operation of electric generating facilities. If this amendment is approved by the voters, the legislature has provided initial funding of \$5 billion and enacted enabling legislation to begin providing loans and grants from the fund.

**Supporters say:** Additional state funding is needed to increase the reliability of the state's electric market, particularly with regard to dispatchable generation.

**Opponents say:** Providing funding to increase the reliability of the Texas grid would be more appropriate through the rate payer system as opposed to providing state subsidies funded by all taxpayers.

## Proposition 8: Establishing the Broadband Infrastructure Fund

*H.J.R. 125, 88th Regular Session*

**Summary:** Creates the Broadband Infrastructure Fund for the expansion of access to and adoption of broadband and telecommunications services. The proposed amendment takes effect January 1, 2024, and expires on September 1, 2035, unless extended for 10 years by a concurrent resolution approved by a record vote of two-thirds of the members of each house of the legislature. The legislature has appropriated \$1.5 billion to the proposed fund contingent on voter approval of the proposed amendment.

**Supporters say:** Establishing a fund to support broadband expansion and

## ★ ELECTION DAY – NOVEMBER 7 ★

Polls are open from 7 a.m. to 7 p.m. on Election Day. Early voting begins on Monday, October 23, 2023, and ends Friday, November 3, 2023. For more information on voting and the proposed amendments, please visit the Texas Secretary of State's website at [www.votetexas.gov](http://www.votetexas.gov).

For more information, condensed analyses, and additional comments in Support or Opposition of the proposed Constitutional Amendments, visit [TLC.Texas.gov](http://TLC.Texas.gov)



infrastructure investment would provide resources to close the digital divide in Texas, which in turn could help to improve quality of life and lead to increased economic growth.

**Opponents say:** The broadband infrastructure fund should be required to prioritize projects that develop fiber optic broadband infrastructure, which may be faster, safer, and more durable and reliable than wireless broadband.

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## Proposition 9: Authorizing a cost-of-living adjustment for retired teachers

*H.J.R. 2, 88th Regular Session*

**Summary:** Authorizes the current 88th Legislature to (1) provide by general law a cost-of-living adjustment to certain annuitants of the Teacher Retirement System of Texas and (2) appropriate state money to pay for the adjustment. The legislature has appropriated \$3.355 billion to fund the cost-of-living adjustment contingent on voter approval of the proposed amendment.

**Supporters say:** Because the vast majority of school districts in Texas do not participate in the federal social security system, the annuity from the Teacher Retirement System of Texas (TRS) is the only retirement benefit most retired teachers receive. Without having received a cost of living adjustment (COLA) in nearly 20 years, retired teachers have lost considerable purchasing power with their TRS annuity due to cost increases and high inflation.

**Opponents say:** No opposition to the proposed constitutional amendment was expressed during legislative consideration of the proposal.

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## Proposition 10: Exempting certain property held by medical manufacturers from taxation

*S.J.R. 87, 88th Regular Session*

**Summary:** Authorizes the legislature to exempt from ad valorem taxation the tangible personal property held by a manufacturer of medical or biomedical products as a finished good or used in the manufacturing or processing of medical or biomedical products.

**Supporters say:** Despite not having a corporate or individual income tax, Texas has a high effective tax rate for medical manufacturers as compared to other states. Taxes on medical and biomedical manufacturing inventory discourage capital investment in and the expansion of this industry in Texas.

**Opponents say:** No opposition to the proposed constitutional amendment was expressed during legislative consideration of the proposal.

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## Proposition 11: Authorizing El Paso County special districts to issue bonds for parks development

*S.J.R. 32, 88th Regular Session*

**Summary:** Adds El Paso County to the list of counties in which the legislature may authorize conservation and reclamation districts (special districts such as water control and improvement districts, municipal management districts, and special utility districts) to develop and finance parks and other purely recreational facilities with taxes.

**Supporters say:** The issuance of bonds to fund parks and recreational facilities in these districts in El Paso County would help to address the need for

more parks and open spaces in the county and improve the quality of life for county residents. It could also make the county more competitive for Texans considering moving to El Paso.

**Opponents say:** The proposed amendment would give certain conservation and reclamation districts in El Paso County the unnecessary authority to assess property taxes.

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## Proposition 12: Abolishing Galveston County's Office of County Treasurer

*H.J.R. 134, 88th Regular Session*

**Summary:** Abolishes the office of county treasurer in Galveston County and authorizes the commissioners court of that county to employ or contract with a qualified person, or designate a county officer, to perform any of the functions that would have been performed by the county treasurer if the office had not been abolished. The amendment takes effect only if, in addition to approval by voters across the state, a majority of the voters in Galveston County voting on the question also approve the amendment.

**Supporters say:** The Galveston County Treasurer's Office does not provide a sufficient level of added protection for taxpayers to justify the amount of county funds needed to operate the office.

**Opponents say:** Eliminating one county office and absorbing its functions into other departments sets a bad precedent and could lead to the concentration of power within the county.

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## Proposition 13: Increasing the mandatory retirement age for state justices and judges

*H.J.R. 107, 88th Regular Session*

**Summary:** Increases the mandatory age of retirement of state justices and judges from 75 to 79 years unless the legislature sets a lower mandatory retirement age. The proposed amendment also increases the lowest age the legislature may prescribe from 70 to 75 years of age.

**Supporters say:** Increasing the mandatory retirement age for judges and justices will allow experienced and competent public servants who are willing to continue to serve.

**Opponents say:** No opposition to the proposed constitutional amendment was expressed during legislative consideration of the proposal.

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## Proposition 14: Creating the Centennial Parks Conservation Fund

*S.J.R. 74, 88th Regular Session*

**Summary:** Provides for the creation of the centennial parks conservation fund to be used for the creation and improvement of state parks.

**Supporters say:** Establishing a dedicated state fund for the purchase of land to develop new state parks would provide a stable and long-term funding source that will empower the state to protect Texas' unique natural resources and cultural history while making them accessible to our growing population.

**Opponents say:** No opposition to the proposed constitutional amendment was expressed during legislative consideration of the proposal.



# SENATOR NATHAN JOHNSON

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