

November 7, 2023 Election - Texas Constitution Amendments

Most of the other proposed Constitutional Amendments could have been ordinary spending bills. The “amendments” (that should have been spending bills) are written in appealing and vague language that voters are more likely to approve. Too often, Texas Politicians don't want to get caught voting for legislation that "busts" constitutional spending limits...so they try to deflect responsibility to the voters. This is a work-around (supported by special interests and government agencies) that permanently expands our government by violating the Texas Constitution's prohibition against increasing state spending faster than economic growth.

There are concerns that collectively these "**spending cap busting**" propositions will cost tax payers around \$12 BILLION that could have been used for more property tax relief. Other conservatives are coming to similar conclusions.

Y = FOR the amendment

NP = NO POSITION on the amendment

Blank = Neutral

Prop. No.	My VOTE	TXPC	Ballot Language	Short Description	PRO	CON
Proposition 1		Y	"The constitutional amendment protecting the right to engage in farming, ranching, timber production, horticulture and wildlife management."	Right to Farm	<ul style="list-style-type: none"> • Raises the legal threshold for regulations on farming. • Prevents cities from restricting farming. • As demand for food increases, it is important to prevent municipal overregulation that could threaten agricultural production • Avoids some conflict when suburban expansion & development encroaches on working farmland or ranchland • Public health & safety & animal welfare would still be addressed by State agencies & political subdivisions 	<ul style="list-style-type: none"> • No guarantee future legislatures will keep protections • Threat to health & safety must be imminent before action taken • Concern of abuse due to vague terms of accepted practice & wildlife management • Limits reasonable standards and lead to large factory farms and undermine family farms

<p style="text-align: center;">Proposition 2</p>		<p style="text-align: center;">NP</p>	<p>"The constitutional amendment authorizing a local option exemption from ad valorem taxation by a county or municipality of all or part of the appraised value of real property used to operate a child-care facility."</p>	<p style="text-align: center;">Child Care Carveout</p>	<ul style="list-style-type: none"> • Inflationary cost hard for Child-care facilities to stay in business • High cost fewer choices for working families • Shortage of employees • Property taxes have contributed to rising costs 	<ul style="list-style-type: none"> • Raises your property tax to let someone else get theirs lowered. • Subject to abuse with little oversight. • No requirement to pass savings to working families • Reduces tax base to cities & counties • Government Picks winners & losers • Must be at least 50% exemption • Amendment 4 reduces property tax for everyone
<p style="text-align: center;">Proposition 3</p>		<p style="text-align: center;">Y</p>	<p>"The constitutional amendment prohibiting the imposition of an individual wealth or net worth tax, including a tax on the difference between the assets and liabilities of an individual or family."</p>	<p style="text-align: center;">No Wealth Taxes</p>	<ul style="list-style-type: none"> • Pre-emptively bans wealth taxes that some states and federal government is considering. • Ban on wealth tax now will ensure future legislature cannot impose such a tax without the consent of the voters • Prohibiting the imposition of a wealth tax will help ensure Texans know they will not be penalized for working to create wealth • Wealth taxes discourage economic innovation & investment. • European countries have repealed wealth tax due to negative economic consequences. • Bipartisan support. 	<ul style="list-style-type: none"> • The measure is unnecessary because a wealth tax has not been proposed in Texas

<p style="text-align: center;">Proposition 4</p>		<p style="text-align: center;">Y</p>	<p>"The constitutional amendment to authorize the legislature to establish a temporary limit on the maximum appraised value of real property other than a residence homestead for ad valorem tax purposes; to increase the amount of the exemption from ad valorem taxation by a school district applicable to residence homesteads from \$40,000 to \$100,000; to adjust the amount of the limitation on school district ad valorem taxes imposed on the residence homesteads of the elderly or disabled to reflect increases in certain exemption amounts; to except certain appropriations to pay for ad valorem tax relief from the constitutional limitation on the rate of growth of appropriations; and to authorize the legislature to provide for a four-year term of office for a member of the board of directors of certain appraisal districts."</p>	<p style="text-align: center;">Property Tax Buydown</p>	<ul style="list-style-type: none"> • This returns budget surplus to the taxpayers who are responsible for creating it. • Many Texans struggle to stay in their homes due to increase property tax burdens. This would alleviate some of this burden. • Increases the exemption amount for property taxes on primary residences (homesteads) from \$40K to \$100K. • Provides tax relief for commercial property owners. • Makes some appraisal board directors elected positions and accountable to local tax payers. • Reduces school tax for elderly or disabled. 	<ul style="list-style-type: none"> • Could shift tax burden from homeowners to business and result in higher prices for consumers. • Does not eliminate property tax. • Compression may be only temporary and taxing entities may increase rates. • Renters are not provided direct relief. • Tax relief is not targeted to needy. • Relief is short lived and will be eaten by inflation.
<p style="text-align: center;">Proposition 5</p>		<p style="text-align: center;">NP</p>	<p>"The constitutional amendment relating to the Texas University Fund, which provides funding to certain institutions of higher education to achieve national prominence as major research universities and drive the state economy."</p>	<p style="text-align: center;">Shovel \$\$\$ to Academia</p>	<ul style="list-style-type: none"> • Renames National research University fund to Texas University Fund • Investment will attract federal & private research money • Makes universities competitive with other states • Will provide economic incentive 	<ul style="list-style-type: none"> • Breaks the constitutional "spending caps"; Removes fund from spending cap • Vague. • Bureaucratic. • Excludes Universities supported by the Permanent University Fund • Removes \$412 MILLION from "Rainy Day fund" in 1st year • Utilizes earnings from "Rainy day fund" as source of revenue up to \$100 MILLION with 2% inflation adjustment • Already fund University education

<p style="text-align: center;">Proposition 6</p>		<p style="text-align: center;">NP</p>	<p>"The constitutional amendment creating the Texas water fund to assist in financing water projects in this state."</p>	<p style="text-align: center;">Shovel \$\$\$ to Water Projects</p>	<ul style="list-style-type: none"> • Texas in need of financial investment in water infrastructure and supply development • Would allow Texas Water Development Board to allocate financial assistance for supply projects • Statewide approach needed for less urban areas that do not have tax base 	<ul style="list-style-type: none"> • Breaks the constitutional "spending caps". • Grows government and its cost. • Empowers bureaucratic agencies. • The Texas Water Development Board should be able to address state's water needs without the creation of new programs • As with other funds, this would be removed from the budget cap and earmark money to specific projects instead of as needed from the general fund • Cost \$1 BILLION
<p style="text-align: center;">Proposition 7</p>		<p style="text-align: center;">NP</p>	<p>"The constitutional amendment providing for the creation of the Texas energy fund to support the construction, maintenance, modernization, and operation of electric generating facilities."</p>	<p style="text-align: center;">Shovel \$\$\$ to Electric Utilities</p>	<ul style="list-style-type: none"> • Additional State funding is needed to increase the reliability of the state's electric market, particularly with regard to dispatchable generation • Creating the Texas energy fund would enable the PUC to provide loans & grants to finance or incentivize the construction, maintenance, modernation and operation of electric generating facilities including infrastructure • Texas needs improved power grid reliability, to avoid widespread power outages like we had during Winter Storm Uri in 2021, and to prevent problems during long, hot summers in the future as our state population rapidly increases. 	<ul style="list-style-type: none"> • Breaks the constitutional "spending caps". • Costs \$5 BILLION. • Picks winners and losers – tries to remedy one problem (subsidies for wind and solar hurting grid reliability) by more subsidies without cutting root cause problem. • 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 • As with other funds, this would be removed from the budget cap and earmark money to specific projects instead of as needed from the general fund • We already subsidize renewable and traditional electric generation with about \$6 Billion per year.

<p style="text-align: center;">Proposition 8</p>		<p style="text-align: center;">NP</p>	<p>"The constitutional amendment creating the broadband infrastructure fund to expand high-speed broadband access and assist in the financing of connectivity projects."</p>	<p>Shovel \$\$\$ to Telecom Utilities</p>	<ul style="list-style-type: none"> • Provides resources to close digital divide which would improve quality of life and increased economic growth • The money will be used to support projects that enhance the availability and usage of broadband, and can be combined with federal funds. • Fund managed by State Comptroller • Fund lasts until 9/1/2035 • 7 million Texans lack broadband internet access 	<ul style="list-style-type: none"> • Breaks the constitutional "spending caps". • Grows government. • Uses technology that is rapidly becoming obsolete. • Fund should prioritize fiber optic infrastructure • Previously allocated \$600 MM for broadband with expectation of \$1B from federal BEAD program • New fund is excessive & fiscally irresponsible • As with other funds, this would be removed from the budget cap and earmark money to specific projects instead of as needed from the general fund • Cost \$1.5 BILLION
<p style="text-align: center;">Proposition 9</p>		<p style="text-align: center;">NP</p>	<p>"The constitutional amendment authorizing the 88th Legislature to provide a cost-of-living adjustment to certain annuitants of the Teacher Retirement System of Texas."</p>	<p>More \$\$\$ to Teacher Retirement System of Texas</p>	<ul style="list-style-type: none"> • The annuity from the Teacher Retirement System of Texas (TRS) does not include a COLA. Retired teachers have lost considerable purchasing power with high inflation • Funding a COLA for TRS retirees will provide much needed relief 	<p><u>This is a tough one</u></p> <ul style="list-style-type: none"> • This TEMPORARY stopgap provision does not fix the structural problem and still breaks the constitutional "spending caps". Bad compromise amendments rarely work out well for anyone. • Cost \$3.355 BILLION • Does not count toward spending cap
<p style="text-align: center;">Proposition 10</p>		<p style="text-align: center;">NP</p>	<p>The constitutional amendment to authorize the Legislature to exempt from ad valorem taxation equipment or inventory held by a manufacturer of medical or biomedical products to protect the Texas healthcare network and strengthen our medical supply chain.</p>	<p>Medical Inventory Carve-out from property taxes</p>	<ul style="list-style-type: none"> • Taxes on medical mfg inventory discourage capital investment and expansion of this industry in Texas • Most mfg is located abroad. The cost to ship increased 50% in 2021. • Inflationary pressures & supply chain constraints provide need to regionalize mfg. • This would create jobs 	<ul style="list-style-type: none"> • Lobbyist bill. • Raises your property tax to let someone else get theirs lowered. • Cost \$29 MILLION in 1st 2 years • Then \$40 MILLION annually • Government picking winners & losers

<p style="text-align: center;">Proposition 11</p>		<p style="text-align: center;">NP</p>	<p>"The constitutional amendment authorizing the legislature to permit conservation and reclamation districts in El Paso County to issue bonds supported by ad valorem taxes to fund the development and maintenance of parks and recreational facilities."</p>	<p style="text-align: center;">El Paso Park Bond Debt</p>	<ul style="list-style-type: none"> • Conservation & reclamation districts were created in 2003 but not in El Paso county. This would expand to El Paso county for creation of parks and open spaces. • This would improve the quality of life and make El Paso more competitive for Texans considering moving. 	<ul style="list-style-type: none"> • Not a statewide issue. • Taking on debt is not good for El Paso either. • The county can already issue bonds for parks and recreational facilities. Another taxing entity is not needed. • Economic opportunity is the driving force in relocating not parks
<p style="text-align: center;">Proposition 12</p>		<p style="text-align: center;">NP</p>	<p>"The constitutional amendment providing for the abolition of the office of county treasurer in Galveston County."</p>	<p style="text-align: center;">Abolish Galveston County Elected Treasurer</p>	<ul style="list-style-type: none"> • The current Galveston County Treasurer testified at the legislature that he hopes he will be the last to hold this office. • The county will have the option to either hire a qualified person or assign the financial duties of the treasurer to another county officer such as auditor, CFO, and purchasing agent. • Treasurer's office does not provide sufficient added protection for taxpayers to justify the cost • 9 counties have eliminated their county treasurer. 	<ul style="list-style-type: none"> • Not a statewide issue. • Making an elected position appointed (and hence concentrating power more) is rarely a good move. • Treasurers can be an effective check on Commissioners Courts. • Stand-alone office by person elected by county voters provides essential checks & balances • No real cost savings as duties are still necessary • This could lead to concentration of power within the county • As this is constitutionally elected, it is important to maintain office.
<p style="text-align: center;">Proposition 13</p>		<p style="text-align: center;">NP</p>	<p>"The constitutional amendment to increase the mandatory age of retirement for state justices and judges."</p>	<p style="text-align: center;">Older and Older Judges</p>	<ul style="list-style-type: none"> • As people are living & working longer, it is appropriate to allow judges & justices to server beyond current mandatory retirement age of 75 • Increase mandatory age from 75 to 79 • Increases minimum age from 71 to 75 • This will allow experienced and competent judges to continue to serve • This could decrease turnover & ensure more predictable & stable judicial system • Since all are elected, the electorate can address issues of performance 	<ul style="list-style-type: none"> • Term limits are good. Longer terms are not. This will undermine the principles behind term limits. • May box out younger candidates who are willing to serve • Health issues and cognitive decline may become an issue

<p style="text-align: center;">Proposition 14</p>		<p style="text-align: center;">NP</p>	<p>"The constitutional amendment providing for the creation of the centennial parks conservation fund to be used for the creation and improvement of state parks."</p>	<p>Shovel \$\$\$ to State Parks</p>	<ul style="list-style-type: none"> • Provides stable & long term funding source to protect natural resources & cultural history • Texas has lower park acreage per capita than many other states • Current park system is strained by user demand requiring reservations many months in advance • This would allow purchase of new parks now before land becomes more expensive • Parks are a driver of economic activity and provide recreational, educational, and conservation opportunities 	<ul style="list-style-type: none"> • Breaks the constitutional "spending caps". • Grows government. • Murky—piles money into the hands of bureaucrats. • Cost \$1 BILLION • As with other funds, this would be removed from the budget cap and earmark money to specific projects instead of as needed from the general fund • A State Parks & Wildlife exists with a budget already to fund creation and improvement.
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Additional Information:

[Texas Secretary of State: https://www.sos.texas.gov/elections/forms/2023-explanatory-statements-14-final.pdf](https://www.sos.texas.gov/elections/forms/2023-explanatory-statements-14-final.pdf)

<https://www.texaspolicy.com/2023-guide-to-constitutional-amendments-in-texas/>

[Texas Legislative Council: https://tlc.texas.gov/docs/amendments/analyses23.pdf](https://tlc.texas.gov/docs/amendments/analyses23.pdf)