



2023 GUIDE TO CONSTITUTIONAL AMENDMENTS IN TEXAS

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**Texas Public Policy
Foundation**

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"Humbly invoking the blessing of Almighty God, the people of the State of Texas, do ordain and establish this Constitution."

During November of each odd-numbered year, Texas voters head to the ballot box to decide whether to support or reject amendments to the Texas Constitution. On November 7, 2023, this biennial exercise in democratic decision-making is scheduled to once again take place.

In the past, voters have sometimes left the polling place more confused than when they first arrived. Part of the blame is often due to ballot language that is clunky, complicated, and convoluted. Too, explanatory materials that one might assume should accompany proposed amendments are either difficult to find or missing altogether. Without clear and concise supporting documentation, voters can sometimes find the process more difficult than it should be. The complication of it all may help to explain why so many amendments seem to succeed.

Unlike the U.S. Constitution, the Texas Constitution is an expansive document that is frequently amended. Excluding the upcoming vote, 700 constitutional amendments have been proposed since it was adopted in 1876. Of those, 517 amendments have been ratified by voters, 180 amendments have been defeated, and 3 amendments never made it to the ballot box. In all, amendments proposed to voters have been approved 74% of the time. Such a high passage rate is not necessarily a bad thing so long as it is done from the perspective of informed decision-making. That is what this guide hopes to facilitate.

The preamble to the Texas Constitution reads: "Humbly invoking the blessings of Almighty God, the people of the State of Texas, do ordain and establish this Constitution." This opening passage should remind us of the significance of our founding document and prompt us to not simply vote, but to be maximally informed as we vote. With that in mind, and with the spirit of civic responsibility, please enjoy the Texas Public Policy Foundation's 2023 Guide to Constitutional Amendments in Texas.



Greg Sindelar
Chief Executive Officer

Key Points

- On November 7, 2023, Texans will vote on 14 constitutional amendments covering a wide array of issues.
- The proposed amendments will ask voters to consider historic property tax relief, infrastructure funding, officeholder restrictions, and more.
- An amendment only becomes part of the Texas Constitution if a simple majority votes in favor of the proposition.
- Since its adoption in 1876, the Texas Constitution has been amended 517 times.

PROPOSITION 1: Adding farming and ranching practices to the Texas Bill of Rights ([HJR 126, 2023](#)).

Background: In 2023, the Texas Legislature passed HJR 126 during the regular session to enshrine in the Texas Constitution the right of citizens to engage in ranching, farming, timber, production, horticulture, and wildlife management practices on land they own or lease by adding Section 36 to [Article I](#), the Texas Bill of Rights ([HJR 126 Bill Analysis, 2023](#)).

The proposed amendment would maintain the Legislature’s authority to enact laws authorizing state or local authorities to regulate generally accepted agricultural practices under three circumstances: to prevent imminent danger from becoming an actual harm to public health, to protect animal health and crop production, and to preserve the natural resources of the state, as provided by [Article XVI, Section 59](#) of the Texas Constitution ([HJR 126 Bill Analysis, 2023](#)).

Overview: Proposition 1 asks voters to add the right to engage in farming, ranching, timber production, horticulture, and wildlife management to Article I of the Texas Constitution.

Ballot Language:

The constitutional amendment protecting the right to engage in farming, ranching, timber production, horticulture, and wildlife management. ([Texas Secretary of State, 2023](#))

Supporters¹ say²:

- “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.”
- “Enshrining the right to engage in activities such as farming and ranching in the Texas Constitution can help avoid some of the conflict that has been experienced when suburban expansion and development encroaches on working farmland or rangeland.”
- “Although there are currently protections for farmers and ranchers in statute, there is no guarantee that future legislatures will keep them.”
- “State agencies and political subdivisions would still be able to address serious concerns involving public health and safety and animal welfare.”
- “The proposed amendment officially recognizes the authority of the state or a political subdivision to regulate protected activities in order to preserve or conserve the state’s natural resources.”

¹ In the [House](#), the following witnesses testified or registered in support of the amendment in committee: Boening, Russell (Self; Texas Farm Bureau); Lockridge, James (Self); Essler, JC (Texas Poultry Federation); Gaines, Jimmy (Texas landowners Council); Gentsch, Bryan (Self; Texas Seed Trade Association); Hughes, Rob (Texas Forestry Association); Maley, Charles (Self; South Texans Property Rights Association); Morris, Joe (Texas Sheep and Goat Raisers Association); Morris, Joe (Self; Travis County Farm Bureau, President); Park, Joey (Texas Wildlife Association); Skrobarczyk, Ryan (Texas Nursery & Landscape Association); Winegarner, Josh (Texas Cattle Feeders Association). In the [Senate](#), the following witnesses testified or registered in support of the amendment in committee: Boening, Russell, President (Self; Texas Farm Bureau), Floresville, TX; Lockridge, James, Farmer (Self), Grapevine, TX; Cole, Celia, CEO (Feeding Texas) Austin, TX; Essler, JC, Executive Vice President (Texas Poultry Federation), Round Rock, TX; Frazier, Kyle (Texas wine and grape growers association), Austin, TX; Hightower, Trent (Texas Veterinary Medical Association), Austin, TX; Hodges, Kenneth, Legislative Consultant (Texas Corn Producers Association), McGregor, TX; Maley, Charles (Self; South Texans’ Property Rights Association), Crawford, TX; Parenteau, Julia, Director of Public Policy (Texas Realtors), Austin, TX; Park, Joey (Texas Wildlife Association), Austin, TX; Streufert, Kelsey, Chief Public Affairs Officer (Texas Restaurant Association), Austin, TX.

² All quotes cited in this paper in support of the amendments we borrowed from [Texas Legislative Council, 2023](#).

Opponents³ say⁴:

- “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.”
- “Requiring that a threat to health and safety be ‘imminent’ before regulations may be imposed could hinder the ability of the state or local governments to regulate agricultural operations that could pose a threat to public safety during a natural disaster until the natural disaster was imminent. Additionally, requiring clear and convincing evidence that a regulation is necessary to protect public health and safety is too high a burden of proof.”
- “By using vague terminology such as ‘generally accepted practices’ and ‘wildlife management practices,’ the proposed amendment will lead to confusion or abuses by certain entities.”

3 In the [House](#) the following witnesses testified or registered in opposition of the amendment in committee: Gamez, Alex (Self; Humane Society). In the [Senate](#) the following witnesses testified or registered in opposition of the amendment in committee: Kelly, Bill, Director of Government Relations (Mayor’s Office, City of Houston), Houston, TX.

4 All quotes cited in this paper in opposition of the amendments we borrowed from [Texas Legislative Council, 2023](#).

PROPOSITION 2: Authorizing local governments to offer property tax exemptions to those operating a childcare facility ([SJR 64, 2023](#)).

Background: [Article VIII Sec. 1-b](#) of the Texas Constitution requires taxation to “be equal and uniform” and that “all real property ... in the state, unless exempt as required or permitted by this Constitution, whether owned by natural persons or corporations, other than municipal, shall be taxed in proportion to its value.” This constitutional requirement helps define the scope and application of property taxes levied in Texas. SJR 64 would amend Article VIII to add Section 1-r, which would authorize cities and counties to offer certain property owners an additional exemption from taxes on some or all of the appraised value of a childcare facility. If an exemption of this type is authorized by the governing body, then the value of the exemption must not be less than 50% of the appraised value ([SJR 64 Bill Analysis, 2023](#)).

Overview: Proposition 2 would permit cities and counties to offer an additional property tax exemption for childcare facilities so long as the value of the exemption is not less than 50% of the property’s appraised value.

Ballot Language:

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. ([Texas Secretary of State, 2023](#))

Supporters⁵ 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.”
- “The high costs associated with operating child-care facilities and the inability of facilities to provide competitive wages have resulted in a shortage of employees for many child-care facilities.”
- “High property taxes have contributed to the rising cost of child care.”
- “Providing local governments with the authority to offer a tax exemption for property used to operate an eligible child-care facility may free up resources that could be used to hire and retain staff, which would help to reduce the prevalence of childcare deserts in Texas communities. A facility’s savings from such an exemption may also be passed down to consumers, which would address child-care affordability.”

Opponents⁶ say:

No public opposition was recorded.

5 In the [Senate](#) the following witnesses testified or registered in support of the amendment in committee: Goforth, Patricia (Self), Austin, TX; Griffith, Idona (Self), Austin, TX; Guy, Linda RN,PNP (Self), Austin, TX; Streufert, Kelsey, Chief Public Affairs Officer (Texas Restaurant Association), Austin, TX; Yanas, Christine, Vice President of Policy & Advocacy (Methodist Healthcare Ministries), San Antonio, TX. No witness list was available for the [House](#).

6 In the [Senate](#), no witnesses testified or registered in opposition of the amendment in committee. No witness list was available for the [House](#).

PROPOSITION 3: Prohibiting the imposition of a wealth tax ([HJR 132, 2023](#)).

Background: Article VIII of the Texas Constitution frames how the state defines and collects taxes. While there is currently a prohibition on imposing an individual state income tax in [Article VIII Section 24](#), there is nothing in the Texas Constitution prohibiting a tax based on the wealth of an individual or family. The changes proposed in HJR 132 would amend Article VIII by adding Section 25. This new section would prohibit the Legislature from imposing a tax “based on the wealth or net worth of an individual or family, including a tax based on the difference between the assets and liabilities of an individual or family” ([HJR 132, 2023](#)).

Overview: Proposition 3 would prohibit the imposition of a tax based on the wealth or net worth of an individual or family.

Ballot Language:

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. ([Texas Secretary of State, 2023](#))

Supporters⁷ 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.”
- “Prohibiting the imposition of a wealth tax will help ensure that Texans know they will not be penalized for working to create wealth.”
- “Wealth taxes discourage economic innovation and investment and can lead to stagnation. Many European countries that previously imposed a wealth tax have since repealed the tax due to negative economic consequences.”

Opponents⁸ 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.”
- “This measure is unnecessary because a wealth tax has not been proposed in Texas.”

⁷ In the [House](#), the following witnesses testified or registered in support of the amendment in committee: Evans, Michelle (Self); Glass, Tom (Self). In the [Senate](#) no witnesses testified or registered in support of the amendment in committee.

⁸ In the [House](#), the following witnesses testified or registered in opposition of the amendment in committee: Lavine, Dick (Every Texan); Albert Donovan, Carolyn (Self); Pena, Alejandro (Texas American Federation of Teachers). In the [Senate](#), the following witnesses testified or registered in opposition of the amendment in committee: C. Joseph, Zenobia, Educator (Self); Lavine, Dick, Fiscal Analyst (Every Texan), Austin, TX; Barsalou, Denee (Self), Pflugerville, TX; Joseph, Zenobia Ms. (Self), Austin, TX; Melendrez, Eli (Self; Texas American Federation of Teachers), Austin, TX; Stewart, Susan (Self), Pflugerville, TX. In the House the following witnesses testified or registered on the amendment in committee: Abi Habib, Lara (Comptroller of Public Accounts). In the Senate, the following witnesses testified or registered on the amendment in committee: Brandt, Shannon, Tax Policy Counsel (Comptroller of Public Accounts), Austin, TX.

PROPOSITION 4: Authorizing the Legislature to provide property tax relief measures ([HJR 2, 2023a](#)).

Background: HJR 2 would amend the state tax code to increase property tax relief through a number of different measures, including ([HJR 2 Resolution Analysis, 2023](#)):

- Creating a cap on annual appraised value increases for certain non-homesteaded properties.
- Increasing the residence homestead exemption for school tax purposes from \$40,000 to \$100,000.
- Providing certain elderly and disabled homeowners with an additional \$15,000 exemption.
- Making exceptions for certain appropriations used to pay for tax relief from constitutional limitations on rate of growth appropriations.
- Authorizing the Legislature of a county with a population of 75,000 or more to limit the terms of appraisal board members to four years.

Overview: Proposition 4 offers a host of property tax-related changes, including an increase in the residence homestead exemption, a limit on annual appraisal increases for certain non-homestead properties, an adjustment in the exemption provided to the elderly and disabled, and allowing for the creation of term limits for appraisal board members in larger counties.

Ballot Language:

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. ([Texas Secretary of State, 2023](#))

Supporters⁹ say:

- “Since Texas taxpayers are responsible for the state’s historic budget surplus, the state should ensure that some of the surplus funds are returned to taxpayers. The proposed amendment will do so by helping to deliver the largest tax cut in state history.”
- “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.”
- “Increasing the residence homestead exemption to \$100,000 will be especially beneficial to the owners of moderately priced homes—the type of homeowner in the greatest need of property tax relief.”
- “While renters do not receive direct relief from the proposed amendment, they will still benefit substantially because residential and commercial landlords are going to see their tax burden reduced and those savings will enable landlords to avoid rent increases and even reduce rents.”

⁹ In the [House](#), the following witnesses testified or registered in support of the amendment in committee: Bates, Tray (Texas Realtors); Blakemore, Charlotte (Popp Hutcheson PLLC); Juergens, Seth (Texas REALTORS); Parenteau, Julia (Texas Realtors); Phenix, Billy (Texas Association of Builders); Popp, Jim (Self; Popp Hutcheson PLLC); Spilman, Annie (NFIB). In the [House](#), the following witnesses testified or registered on the amendment in committee: Rabb, Jennifer (Texas Taxpayers and Research Association); Meyer, Mike (Texas Education Agency); Murphy, Shannon (Comptroller of Public Accounts). No witness list was available for the [Senate](#).

- “By providing tax relief for commercial property owners, the proposed resolution could help stabilize businesses struggling under the weight of rising property taxes and help them to further grow and aid in the state’s overall economic expansion.”
- “The limit on the increase in the appraised value of non-homestead real property provided for in the proposed amendment will help small business owners stay in business and provide greater predictability to Texans who are helping to drive the state’s economy.”
- “By making some positions on an appraisal district’s board of directors elected positions in certain counties, appraisal districts in those counties will be more directly accountable to local taxpayers.”

Opponents¹⁰ say:

- “Increasing the residence homestead exemption by such a large amount could result in a shift of the tax burden from homeowners to business owners, which could result in higher prices for consumers.”
- “The proposed amendment does not go far enough since it does not put the state on a path toward eliminating property taxes entirely.”
- “Because the tax rate compression may be only temporary if state funding at the increased levels is not maintained, not much actual relief is being provided. Any property tax relief needs to be permanent.”
- “By reducing property taxes, public education funding is placed in jeopardy as other revenues made available for public schools, such as sales tax revenues, are more volatile and less predictable than property taxes.”
- “Nearly four million Texans are renters, and the proposed amendment does nothing to provide them any direct financial relief.”
- “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.”
- “Individuals running for the elected seats on an appraisal district’s board of directors may not be focused enough on the overall business of the board and instead focus too heavily on reducing property values.”

¹⁰ No witnesses testified or registered in opposition in the [House](#) committee.

PROPOSITION 5: Authorizing the creation of the Texas University Fund ([HJR 3, 2023](#)).

Background: In order to foster the benefits of an educated workforce and research-driven solutions to the complex issues the state will face, HJR 3 proposes to provide more funding to higher education institutions ([HJR 3 Bill Analysis, 2023](#))

The amendment would rename the National Research University Fund (NRUF) to the Texas University Fund (TUF). It would also allocate to the fund the interest, dividends, and investment earnings from the Economic Stabilization Fund (ESF) from the preceding fiscal year. The total amount allocated in fiscal 2024 would be limited to \$100 million. The annual limit would be adjusted for inflation each year but would be restricted to a 2% growth rate ([HJR 3, 2023, p. 2](#)). The amendment would also exclude appropriations to and from the TUF from the state's constitutional spending limit. Expenses to manage the fund would be paid for by the fund ([HJR 3 Bill Analysis, 2023](#)). Should the proposition pass, the implementing legislation, HB 1595, would empower the Legislative Budget Board "in consultation with" the Texas Higher Education Coordinating Board to determine the amount each eligible institution receives from the fund ([HB 1595, 2023 p. 16](#)).

Overview: Proposition 5 would create a fund limited to \$100 million to provide funding for eligible institutions of higher learning.

Ballot Language:

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. ([Texas Secretary of State, 2023](#))

Supporters¹¹ 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."
- "Increased investment in cutting-edge research at universities in Texas is key to the state remaining competitive with other states making similar investments."
- "Investing in research at the state level will help attract federal and private research funding and improve the caliber of the state's research universities. This will make it easier to recruit students and faculty."
- "Previous legislation establishing higher education research funds has been successful in helping universities increase their research capabilities. The additional funding provided through H.J.R. 3 will allow these universities to continue their growth."

¹¹ In the [House](#), the following witnesses testified or registered in support of the amendment in committee: Brown, Crystal (Greater Houston Partnership); Matthews, Stephanie (Texas Association of Business); Milligan, Maureen (Teaching hospitals of Texas); Rodriguez, Jennifer (North Texas Commission); Soto, Renzo (Texas 2036); Yancy, Justin (Texas Business Leadership Council). In the [Senate](#), the following witnesses testified or registered in support of the amendment in committee: Austin, Glen (Greater Houston Partnership), Houston, TX; Krogman, Travis, VP State and Federal Relations (The Greater Austin Chamber of Commerce), Austin, TX; Matthews, Stephanie, EVP (Texas Association of Business), Austin, TX; Soto, Renzo, Policy advisor (Texas 2036), Austin, TX; Yancy, Justin President (Texas Business Leadership Council), Austin, TX; Zavala, Gilbert VP Education and Talent Development (Opportunity Austin), Austin, TX. In the [House](#), the following witnesses testified or registered on the amendment in the committee: Dampousse, Kelly (Texas State University); Khator, Renu (University of Houston System); Schovane, Lawrence (Texas Tech University); Smatresk, Neal (University of North Texas); Blanton, Whitney (Texas Treasury Safekeeping Trust Company); Ion, Anca (Texas Treasury Safekeeping Trust Company); Keller, Harrison (Texas Higher Education Coordinating Board). In the [Senate](#), the following witnesses testified or registered on the amendment in the committee: Currah, Tom Associate, Deputy Comptroller (Comptroller); Keller, Harrison, Commissioner of Higher Education (TX Higher Education Coordinating Board), Austin, TX; Reissig, Mike, CEO Texas Trust (Comptroller); Blanton, Whitney, General Counsel (Texas Treasury Safekeeping Trust Co.); Ion, Anca, Chief Investment Officer (Texas Treasury Safekeeping Trust Co.).

Opponents¹² 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 ... to fund higher education initiatives since that fund was not designed for such purposes.”

¹² No witnesses testified or registered in opposition in the [House](#) or [Senate](#) committees.

PROPOSITION 6: The constitutional amendment creating the Texas water fund to assist in financing water projects in this state ([SJR 75, 2023](#)).

Background: Texas' water resources have become strained due to an increasing population coupled with a time of persistent drought. The current infrastructure is experiencing water loss and compromised water quality. Under the existing mechanisms the Texas Water Development Fund lacks the flexibility to secure new water sources or repair water infrastructure. The proposition in SJR 75 would create “a special fund in the state treasury outside the general revenue fund” ([SJR 75 Bill Digest, 2023 p. 2](#)). The money from this fund would be used to address the repair of “aging and failing pipes and build out new water supply” ([SJR 75 Bill Analysis, 2023 p. 1](#)).

Overview: Proposition 6 would establish in the Texas Constitution the Texas Water Fund administered by the Texas Water Development Board.

Ballot Language:

The constitutional amendment creating the Texas water fund to assist in financing water projects in this state. ([Texas Secretary of State, 2023](#))

Supporters¹³ 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

13 In the [House](#), the following witnesses testified or registered in support of the amendment in committee: Ellison, Mark (Texas Desalination Association); Fowler, Perry (Self; Texas Water Infrastructure Network (TXWIN)); Harward, Heather (Texas Water Supply Partners); Kirkle, Sarah (Texas Water Conservation Association); Mazur, Jeremy (Texas 2036); Woodruff, Ronnie (Brazosport Water Authority); Albright, Steven (AGC of Texas- Highways, Heavy, Utilities and Industrial Branch); Bresnen, Steve (North Harris County Regional Water Authority); Bruun, Glenna (Texas Ports Association); Carlile, Jimmy (Fasken Oil and Ranch); Chick, Craig (American Council of Engineering Companies Texas); Cuellar, Guadalupe (City of El Paso); Davis, Tricia (Self; Texas Royalty Council TRC); Embrey, Tammy (Invenergy Clean Water); Emerson, Jennifer (Port Houston); Finley, Trace (Seven Seas Water Group); Frazier, Kyle (Texas Desalination Association) Gammage, Sam (Dow); Garcia, Buddy (Brownsville Public Utilities Board); Glass, Tom (Self); Grande, Rebecca (Texas Association of Business); Harward, Heather (Upper Trinity Regional Water District); Hodges, Kenneth (Texas Corn Producers Association); Howe, Billy (Texas Farm Bureau); Juergens, Seth (Texas REALTORS); Kelly, David (North Texas Municipal Water District); Ludwick, Chandler (ConocoPhillips); Martinsson, Leah (Texas Alliance of Groundwater Districts); McCarthy, Edmond (Self; GateHouse Water LLC); McKaughan, Mary Alice (Texas Rural Water Association); Modglin, Jason (Texas Alliance of Energy Producers); Muñoz, Ned (Texas Association of Builders); Murphy, Kaitlyn (Greater Houston Partnership); Myers, Ashley (Texas Association of Water Companies); Norman, Scott (Texas Association of Builders); Parker, Blaire (San Antonio Water System (SAWS)); Paylor, Ryan (Texas Independent Producers & Royalty Owners Association (TIPRO)); Pearson, Shea (Texas Chemical Council); Phillips, Matt (Brazos River Authority); Rubinstein, Carlos (Self; RSAH2O LLC); Skrobarczyk, Ryan (Texas Nursery & Landscape Association); Sledge, Brian (Northeast Texas Municipal Water District; Benbrook Water Authority); Sledge, Shauna Fitzsimmons (San Antonio River Authority); Solis, Eddie (Abilene Chamber of Commerce); Tredway, CJ (Texas Oil & Gas Association); Wheeler, Julie (Travis County Commissioners Court); Wier, Andrew (Self; Simsboro Aquifer Water Defense Fund (SAWDF)); Williams, Julie (Chevron); Wynn, Monty (Texas Municipal League); Yanas, Christine (Methodist Healthcare Ministries). In the [Senate](#), the following witnesses testified or registered in support of the amendment in committee: Ellison, Mark (also providing written testimony), (Self; Texas Desalination Association), Austin, Texas, TX; Fowler, Perry, Executive Director (also providing written testimony) (Self; Texas Water Infrastructure Network (TXWIN)), Austin, TX; Grande, Rebecca (also providing written testimony), (Texas Association of Business), Austin, TX; Harward, Heather (Texas Water Supply Partners), Austin, TX; Kirkle, Sarah, Director of Policy & Legislative Affairs (Texas Water Conservation Association), Austin, TX; Mazur, Jeremy, Senior Policy Advisor (Texas 2036), Austin, TX; McKaughan, Mary Alice (Texas Rural Water Association), Austin, TX Nahrgang, Julie, Executive Director (Water Environment Association of Texas), Austin, TX; Wells, Hope (San Antonio Water System), San Antonio, TX; Woodruff, Ronnie, General Manager (Brazosport Water Authority), Lake Jackson, TX; Albright, Steven, Director of Government Affairs (Associated General Contractors of Texas- Highway Heavy Utility and Industrial Branch), Austin, TX; Bresnen, Steve (North Harris County Regional Water Authority), Austin, TX; Cuellar, Guadalupe Legislative Attorney (City of El Paso), El Paso, TX; Finley, Trace (Seven Seas Water Group), Driftwood, TX; Frazier, Kyle (Texas desalination association), Austin, TX; Gammage, Sam (Dow), Austin, TX; Garcia, Buddy (Self; Brownsville Public Utilities Board), Austin, TX; Hale, J.D. (Texas Association of Builders), Austin, TX; Herman, Wendy, Sr Intergovernmental Relations Coordinator (Self; The City of Corpus Christi), Corpus Christi, TX; Hodges, Kenneth, Legislative Consultant (Texas Corn Producers), McGregor, TX; Holzhauser, Craig (Texas Pacific Water Resources), Austin, TX; Howe, Billy, Associate Director Government Affairs (Texas Farm Bureau), Austin, TX; Modglin, Jason (Texas Alliance of Energy Producers), Austin, TX; Moore, Graham, Executive Director (Alliance Regional Water Authority), San Marcos, TX; Moore, Julie (Occidental Petroleum), Austin, TX; Morgan, Ashley (Port of Copus Christi), Austin, TX; Morris, Joe (Self; Texas Weather Modification Association), Austin, TX; Morris, Joe (Self; Aqua Water Supply Corporation), Austin, TX Omey, Samantha, Senior Advisor, Public & Government Affairs (ExxonMobil), Austin, TX; Oney, Tom, EVP, External Affairs (Lower Colorado River Authority (LCRA)), Austin, TX; Paylor, Ryan, Director of Government Affairs (Texas Independent Producers & Royalty Owners Association (TIPRO)), Austin, TX; Phillips, Matt, Legislative and Governmental Affairs Manager (Brazos River Authority), Waco, TX; Rodriguez, Jennifer, Consultant (North Texas Commission), Austin, TX; Shaw, Doug, Vice President - TAGD (Texas Alliance of Groundwater Districts), Austin, TX; Sledge, Brian, Attorney (Self; Northeast Texas Municipal Water District; Benbrook Water Authority), Austin, TX; Sledge, Shauna Fitzsimmons, Attorney (Self; San Antonio River Authority), Austin, TX; Stewart, Scott, Vice President for Legislative Affairs (American Council of Engineering Companies of Texas), Austin, TX; Tredway, CJ (Texas Oil & Gas Association), Austin, TX; Wheeler, Julie, Intergovernmental Relations (Travis County Commissioners Court), Austin, TX; Williams, Mark (Aqueduct Werks), Dallas, TX; Wynn, Monty (Texas Municipal League), Austin, TX; Yanas, Christine, Vice President of Policy & Advocacy (Methodist Healthcare Ministries), San Antonio, TX; Yancy, Justin, President (Texas Business Leadership Council), Austin, TX; Cook, Robby (Invenergy Clean Water), Austin, TX; Covington, Jenna (Self; North Texas Municipal Water District), Wylie, TX. The following witnesses testified or registered on the amendment in the House and Senate: Peyton, George, Director (Texas Water Development Board), Austin, TX; Walker, Jeff, Exec administrator (Texas water development), Austin, TX; Puig -Williams, Vanessa (EDF), Austin, TX; Trevino, Rebecca, CFO (Texas Water Development Board), Austin, TX; Wier, Andrew (Self; Simsboro Aquifer Water Defense Fund (SAWDF)), Bastrop, TX; Benter, Tammy (Public Utility Commission); Eaves, Celia (Public Utility Commission); Ortiz, Alex (Sierra Club); Walker, Jeff (Texas water development); Walker, Jennifer (National Wildlife Federation).

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.”

- “The creation of the Texas water fund would further the state’s investment in water infrastructure and would give the Texas Water Development Board flexibility in allocating financial assistance through existing and newly created funds to address issues with existing water infrastructure and support new water supply projects across the state for years to come.”
- “Small water systems in less urban areas of the state do not have the tax base to support large water infrastructure projects, and a statewide approach is needed to ensure water resources are available to all Texans.”

Opponents¹⁴ say:

- “The Texas Water Development Board should be able to address the state’s water needs without the creation of new programs.”

¹⁴ In the [House](#), the following witnesses testified of registered in opposition of the amendment in committee: Blankenship, Sandra (Self). No witnesses testified or registered in opposition of the amendment in the [Senate](#) committee.

PROPOSITION 7: Authorizing the creation of the Texas Energy Fund ([SJR 93, 2023](#)).

Background: Following the failure of the Texas grid during Winter Storm Uri, the 87th Texas Legislature passed SB 3 to address critical systems issues. However, increasing reliability remains necessary ([SJR 93 Resolution Analysis, 2023](#)). The amendment would create an advisory board and detail the types of projects that could be funded by the Texas Energy Fund. The fund would be administered by the Public Utility Commission (PUC) of Texas, which would be authorized to provide loans and grants to advance the purposes of the fund. The amendment requires that the PUC allocate money to eligible projects in each region of Texas that contains an electric power grid in proportion to that region's load share.

The fund would consist of money appropriated by the Legislature; investment returns from the fund; and gifts, grants, and donations contributed to the fund. The expenses of managing the fund would be paid for by the fund. Money appropriated by the Legislature would be excluded from the state's appropriation limit ([SJR 93 Resolution Analysis, 2023](#)).

Overview: Proposition 7 would establish the Texas Energy Fund in the Texas Constitution to fund the construction, maintenance, modernization, and operation of electric generating facilities.

Ballot language:

The constitutional amendment providing for the creation of the Texas energy fund to support the construction, maintenance, modernization, and operation of electric generating facilities. ([Texas Secretary of State, 2023](#))

Supporters¹⁵ say:

- “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 Public Utility Commission of Texas to provide loans and grants to finance or incentivize the construction, maintenance, modernization, and operation of electric generating facilities, including associated infrastructure, necessary to ensure the reliability or adequacy of the state's electric power grid.”

Opponents¹⁶ 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.”

15 In the [House](#), the following witnesses testified or registered in favor of the amendment in committee: Beatty, Jasmine (Self); Belsick, Michael (Self); Brown, Jay (Valero Energy Corporation); Coleman, Katie (Texas Association of Manufacturers); Ellmer, Mindy (Lyondellbasell, Olin and Tarrant Regional Water District); Flores, Ismael (Self); Glass, Tom (Self); Jimenez, Lucas (Self); Landwehr, Martha (BASF Corporation); Malouff, Charlie (Texas Twister, Inc.); Mathis, James (Dow); Moore, Julie (Occidental); Murphy, Cooper (Self); Noonan, Chris (Texas Chemical Council); Simpson, Richard (Self); Veenstra, Mari (Self). In the [Senate](#), the following witnesses testified or registered in favor of the amendment in committee: Brophey, Patrick (North Texas Commission), Irving, TX; Brown, Jay (Valero), Austin, TX; Burgin, Matt (ConocoPhillips), Austin, TX; Coffee, Jennifer, General Counsel (Texas Pipeline Association), Austin, TX; Coleman, Katie (Texas Association of Manufacturers), Austin, TX; Ellmer, Mindy (Lyondell basell), Austin, TX; Ellmer, Mindy (Olin), Austin, TX; Glass, Tom (Self; Texas Constitutional Enforcement), McDade, TX; Joyce, Shana (Texas Oil and Gas Association), Austin, TX; Landwehr, Martha, Senior Manager, Government Affairs (BASF Corporation), Austin, TX; Macksood, Greg (Ovintiv), Austin, TX; Mathis, James (Samsung), Austin, TX; Mathis, James (Dow), Austin, TX; Moore, Julie (Occidental Petroleum), Austin, TX; Noonan, Chris, Director Government Affairs (Texas Chemical Council), Austin, TX; Oswald, Bill Mr. (Self; Koch Companies), Austin, TX; Spreen, Lauren (Enterprise Products), Austin, TX; Spreen, Lauren (Targa Resources), Austin, TX.

16 In the [House](#), the following witnesses testified or registered in opposition of the amendment in committee: Barsalou, Denee (Self); Billingsley, Anne (ONEOK, Inc); Boms, Matthew (Texas Advanced Energy Business Alliance); DiMasi, Rachel (Self); Fiduk, Kenneth (Self); Haden, Lorri (Self); Haverlah, Sandra (Texas Consumer Association); Ledesma, David (Self); McConnell, Melissa (Self); Robison, Andrew (Self); Romero Walsh, Kathy (Self); Sabo, Jason (Environment Texas); Shelley, Adrian (Public Citizen); Stewart, Susan (Self); TAYLOR, JONELLE (Self); Wu, Steven (Self; Woori Juntos). In the [Senate](#) no witnesses testified or registered in opposition of the amendment in committee. The following witnesses testified or registered on the amendment in the [House](#) and [Senate](#) committees: Barnes, Bill (NRG), Austin, TX; Gleeson, Thomas, Executive Director (Public Utility Commission of Texas), Austin, TX; Ogelman, Kenan (ERCOT), Austin, TX; Reed, Cyrus, Conservation Director (Sierra Club Lone Star Chapter), Austin, TX; Siegel, Sam, Vp Wholesale Strategy (Vistra Corp), Irving, TX; Barnes, Bill (NRG); Beit-Arie, Maya (Self); Carter, David (Self); Coffee, Jennifer (Texas Pipeline Association); Gleeson, Thomas (Public Utility Commission of Texas); Harvey, Julia (Texas Electric Cooperatives) Ogelman, Kenan (ERCOT); Reed, Cyrus (Lone star chapter sierra club); Yu, Joel (Grid Resilience in Texas “GRIT”).

PROPOSITION 8: Authorizing the creation of the Broadband Infrastructure Fund ([HJR 125, 2023](#)).

Background: Broadband internet has become more of a necessity rather than a luxury over the last decade. According to studies conducted by the State Broadband Development Office, almost 2.8 million Texas households lack broadband access. HJR 125 proposes a constitutional amendment to create a broadband infrastructure fund ([HJR 125 Resolution Analysis, 2023](#)).

The proposed amendment would create the Texas Broadband Infrastructure Fund (BIF). Funds in the BIF could only be used to expand broadband and telecommunications across the state consisting of:

- “the development, construction, reconstruction, and expansion of broadband and telecommunications infrastructure or services;
- the operation of broadband and telecommunications infrastructure;
- the provision of broadband and telecommunications services, including services authorized by general law to be funded by the Texas Universal Service Fund; and
- the reasonable expenses of administering and managing the investments of the fund.” ([HJR 125 Resolution Analysis, 2023 p. 1](#))

The BIF would be funded through:

- “appropriations from the legislature for deposit to the credit of the fund;
- money transferred or deposited to the credit of the fund by the constitution or by general law;
- revenue that the legislature by general law dedicates for deposit to the credit of the fund;
- investment earnings and interest earned on money in the fund; and
- gifts, grants, and donations to the fund.” ([HJR 125 Resolution Analysis, 2023 p. 1](#))

Overview: Proposition 8 would create the Broadband Infrastructure Fund to develop and expand access to high-speed internet across the state.

Ballot Language:

The constitutional amendment creating the broadband infrastructure fund to expand high-speed broadband access and assist in the financing of connectivity projects. ([Texas Secretary of State, 2023](#))

Supporters¹⁷ say:

- “Establishing a fund to support broadband expansion and 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.”

¹⁷ In the [Senate](#), the following witnesses testified or registered in support of the amendment in committee: Baum, Walt, President (Texas Cable Association), Austin, TX; Green, Kathy, Director of Advocacy (AARP Texas); Allison, Jim, Senior Counsel (County Judges and Commissioners Association of Texas), Austin, TX; Avini, Mitrah, Policy Analyst (Texas 2036), Austin, TX; Brophey, Patrick (North Texas Commission), Irving, TX; Carter, Jennifer, Chief Mission Officer (Goodwill Central Texas), Austin, TX; Compton, Dorothy Ann (Self), Austin, TX; Cruz, Velma, Vice President State Government Affairs (Comcast), Austin, TX; Foster, Wendy (Independent Bankers Assoc of Texas), Austin, TX; Haynes, Adam (Conference of Urban Counties), Austin, TX; Henning, Lori (Texas Association of Goodwills), Austin, TX; Islam, Nadia, Govt. Affairs Administrator (City of San Antonio), San Antonio, TX; Kennon, Suzi (Texas PTA), Sachse, TX; Laroche, Sebastien, Director of Policy & Advocacy (Methodist Healthcare Ministries), San Antonio, TX; Lawson, Richard (Verizon), Pflugerville, TX; Morgan, Todd (T-Mobile), Austin, TX; Parenteau, Julia, Policy Director (Texas Realtors); Patterson, Tiffany (United Ways of Texas), Austin, TX; Roach, Blake, Associate Legislative Director (Texas Farm Bureau), Austin, TX; Schmitt, Stacy, VP Economic Development (Self; Opportunity Austin), Austin, TX; Seale, Mark, Executive Director (Texas Telephone Association), Austin, TX; Tate, David (AT&T), Austin, TX; Tuccio, Nicholas, Government Affairs (Nextlink Internet), Hudson Oaks, TX; Wheeler, Julie, Intergovernmental Relations (Travis County Commissioners Court), Austin, TX; Wynn, Monty (Texas Municipal League), Austin, TX. In the Senate, the following witnesses testified or registered on the amendment in committee: Conte, Greg, Director, Broadband Development Office (TX Comptroller of Public Accounts), Austin, TX; Cruz, David, Senior Counsel (TX Comptroller of Public Accounts), Austin, TX; Hiner, Harrison, Legislative Coordinator (Communications Workers of America), Austin, TX. In the [House](#), no witnesses testified or registered in committee.

- “Without reliable access to broadband Internet, millions of Texans are at a disadvantage in seeking employment opportunities and accessing certain educational and health care services that are increasingly going virtual.”
- “By investing state dollars in the expansion of broadband infrastructure, the state would be well positioned to draw down funds from the federal Broadband Equity, Access, and Deployment (BEAD) Program, which matches state dollars on a four-to-one basis.”
- “A state funding source for broadband expansion will provide much-needed flexibility in achieving broadband attainment goals that is missing with federal programs that come with certain added constraints.”

Opponents¹⁸ 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.”
- “Texas has previously allocated \$600 million for broadband purposes, and the state is likely to receive billions of dollars from the federal BEAD program for these purposes. Creating a costly new broadband fund with state taxpayer dollars is excessive and fiscally irresponsible.”

¹⁸ In the [Senate](#), the following witnesses testified or registered in opposition to the amendment in committee: Porter, Gregory C., Entrepreneur (Self; Texas For Liberty), Austin, TX.

PROPOSITION 9: Authorizing a cost-of-living adjustment for the Teacher Retirement System of Texas ([HJR 2, 2023b](#)).

Background: HJR 2 proposes an amendment to make an appropriation to the Teacher Retirement System (TRS) of Texas for certain benefit enhancements ([HJR 2 Bill Analysis, 2023](#)). The proposition would amend [Article XVI](#) of the Texas Constitution by adding Section 67-a which authorizes the Legislature to provide cost-of-living adjustments or benefit enhancements to annuitants of the Teacher Retirement System who are eligible, as determined by law. The Legislature does this by directing the Comptroller of Public Accounts to transfer funds to the TRS so long as the TRS is actuarially sound and that the appropriated money does not increase the system's unfunded pension liabilities ([HJR 2 Bill Analysis, 2023](#)).

Overview: Proposition 9 would provide a onetime transfer of funds for a cost-of-living adjustment of monthly death or retirement annuities from the Teacher Retirement System of Texas.

Ballot Language:

The constitutional amendment authorizing the 88th Legislature to provide a cost-of-living adjustment to certain annuitants of the Teacher Retirement System of Texas. ([Texas Secretary of State, 2023](#))

Supporters¹⁹ 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.”
- “Funding a COLA for TRS retirees will provide the state’s retired teachers with much-needed relief and is a wise use of the state’s surplus revenue.”

Opponents say:

No public opposition was recorded.

¹⁹ In the [House](#), the following witnesses testified or registered in support of the amendment in committee: Amps, Emily (Texas AFL-CIO); Floyd, Beaman (Texas Association of School Administrators); Gonzalez, Dax (Texas Association of School Boards); Holleman, Will (Raise Your Hand Texas); Terry, Mark (Self; Texas Elementary Principals and Supervisors Association). In the [Senate](#), no witnesses testified or registered in support of the amendment in committee. In the [House](#), the following witnesses testified or registered in opposition of the amendment in committee: Bosse, Portia (Texas State Teachers Assn). In the [Senate](#), the following witnesses testified or registered in opposition of the amendment in committee: Lee, Tim, Executive Director (Texas Retired Teachers Association), Austin, TX. In the [House](#) and [Senate](#), the following witnesses testified or registered on the amendment in committee: Exter, Monty (The Association of Texas Professional Educators ATPE); Lee, Timothy (Tx ret teachers assn); Cardona, Amy (Pension Review Board); Guthrie, Brian (TRS); Melendrez, Eli (Texas American Federation of Teachers); Guthrie, Brian, Executive Director (Teacher Retirement System of Texas), Austin, TX.

PROPOSITION 10: Exempting certain medical or biomedical property from ad valorem taxation ([SJR 87, 2023](#)).

Background: Much of the manufacturing of the world’s medical and biomedical products is located overseas. This is due, in part, to the current costs related to biomedical and medical property, mostly in our tax structure. SJR 87 would amend [Article VIII](#) of the Texas Constitution by adding Section 1-x which would entitle a person to an exemption from property taxation of equipment used in manufacturing medical or biomedical products, or the biomedical or medical property as a finished product ([SJR 87 Bill Digest, 2023](#)). Medical and biomedical property is defined as “tangible personal property that is stored, used, or consumed in the manufacturing or processing of medical or biomedical products... or that is intended for use in the diagnosis, cure, mitigation, treatment, or prevention of a condition or disease or in medical or biomedical research” ([SB 2289 Bill Analysis, 2023 p. 1](#)). This would include devices, therapeutics, pharmaceuticals, personal protective equipment, tools, implants, instruments, and apparatuses.

Overview: Proposition 10 would exempt equipment used in the manufacturing of medical or biomedical products or the products themselves from ad valorem taxation.

Ballot Language:

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. ([Texas Secretary of State, 2023](#))

Supporters²⁰ 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.”
- “Most medical and biomedical manufacturing is located abroad, and the cost to ship medical supplies to the United States increased more than 50 percent in 2021, causing Texans to pay more for vital supplies. Encouraging local manufacturing would eliminate the added shipping costs.”
- “Inflationary pressures and supply chain constraints further contribute to the need to regionalize manufacturing.”
- “Since 2020, Texas has missed opportunities for billions of dollars in private investment for biomedical manufacturing because it lacks tax incentives that other states provide.”
- “The proposed tax exemption would encourage investment in medical and biomedical manufacturing in Texas, which in turn would promote innovation and advancement in medical technologies, strengthen Texas’ medical supply chain, and create jobs.”

Opponents say:

No public opposition was recorded.

²⁰ In the [Senate](#), the following witnesses testified or registered in support of the amendment in committee: McKeon, William F., President & CEO Texas Medical Center (Texas Medical Center), Houston, TX; Lobsinger Bush, Danielle (Texas Healthcare and Bioscience Institute), Austin, TX; Murphy, Kaitlyn (Greater Houston Partnership), Houston, TX; Woomey, Eric (Biotechnology Innovation Organization (BIO), Austin, TX. No witnesses testified or registered in opposition of the amendment in the [Senate](#), and there were no witnesses at all on this amendment in the [House](#).

PROPOSITION 11: Authorizing El Paso County to issue bonds for the maintenance of park and recreation facilities ([SJR 32, 2023](#)).

Background: In 2003, conservation and reclamation districts in certain counties in Texas were given the ability to issue bonds to fund the development and maintenance of parks and recreation facilities. El Paso County was not included in the counties granted this authority. SJR 32 would amend the Texas Constitution to allow El Paso County to authorize the use of bonds to develop and maintain its parks and recreation facilities ([SJR 32 Bill Analysis, 2023](#)).

Overview: Proposition 11 would grant El Paso County authority to permit conservation and reclamation districts to fund development and maintenance for parks and recreation facilities by issuing bonds.

Ballot Language:

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. ([Texas Secretary of State, 2023](#))

Supporters²¹ say:

- “In 2003, the Texas Constitution was amended to allow conservation and reclamation districts in certain counties to issue bonds supported by property taxes to fund the development and maintenance of parks and recreational facilities if approved by district voters, but El Paso County was not among the counties included at that time. The proposed amendment would extend this beneficial authority to conservation and reclamation districts in El Paso County.”
- “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.”
- “The decision to assess property taxes to support the issuance of bonds for that purpose is left to the discretion of each district and its voters. The assessment of property taxes would not be mandatory.”
- “The proposed amendment would not impair any district’s contract with the federal government regarding per-acre assessments since it does not create a mandate.”

Opponents²² say:

- “The proposed amendment would give certain conservation and reclamation districts in El Paso County the unnecessary authority to assess property taxes.”
- “Under Section 55.364, Water Code, certain conservation and reclamation districts in the county have federal contracts that require that any land within the districts be assessed on a per-acre basis. These districts should be excluded from the applicability of the resolution’s property tax provisions to avoid additional tax burdens.”

²¹ In the [Senate](#), the following witnesses testified or registered in support of the amendment in committee: Cuellar, Lupe (City of El Paso), El Paso, TX; Lary, Trey, Attorney (Allen Boone Humphries Robinson LLP), Austin, TX; Solis, Eddie (El Paso Water), Austin, TX.

²² In the [House](#) there were no witnesses who testified or registered in support of or in opposition of the amendment in committee. In the [Senate](#), no witnesses testified or registered in opposition of the amendment.

PROPOSITION 12: Abolishing the office of County Treasurer in Galveston County (HJR 134, 2023).

Background: County treasurers are the custodians of all county funds and are responsible for distributing county funds to the directives of the County Commissioners’ Court. In 2022, Hank Dugie was elected as Galveston County treasurer on a platform of eliminating the office and is seeking to put the issue to a vote ([HJR 134 Bill Analysis, 2023](#)). HJR 134 would amend [Article XVI, Section 44](#), of the Texas Constitution by adding subsection (d) abolishing the office of County Treasurer in Galveston County and authorizing the Commissioners’ Court of Galveston County to hire a “qualified person” or to “designate another county officer” to perform the functions of the County treasurer. A temporary provision is added stating that abolishing the Office of County Treasurer in Galveston County will only go into effect if at the statewide election where Texans will vote whether to approve the amendment, a majority of voters in Galveston County also vote to approve the amendment ([HJR 134 Bill Analysis, 2023](#)). This will ensure that while an amendment issue is considered by all eligible Texas voters, the amendment must also be approved at the county level.

Overview: Proposition 12 would eliminate the office of County Treasurer in Galveston County so long as the amendment is ratified by a majority of voters. It would also authorize the Commissioners Court to hire or designate a qualified person to carry out the functions performed by the County treasurer.

Ballot Language:

The constitutional amendment providing for the abolition of the office of county treasurer in Galveston County. ([Texas Secretary of State, 2023](#))

Supporters²³ 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.”
- “The duties of the office of county treasurer could and would be absorbed by other county departments and done at a cost savings to taxpayers.”
- “Galveston County is well suited to successfully operate without a county treasurer as the county has a number of other officers, including an auditor, CFO, and purchasing agent, who perform duties that are performed by the county treasurer in other counties.”
- “Elimination of the treasurer’s office is supported by the current Galveston County treasurer, all members of the Galveston County Commissioners Court, and all municipalities in the county.”
- “Galveston County voters have already tacitly approved of abolishing the office of county treasurer by voting for the current county treasurer, who ran on the platform of abolishing the office.”
- “Nine other counties have eliminated their county treasurer position and have been able to continue operating efficient county governments.”
- “Voters statewide have previously recognized that an official treasurer position is not necessary by voting to abolish the office of state treasurer in 1995.”
- “Eliminating a constitutionally elected office is not unprecedented as other such offices, like county land surveyor or animal control officer, have been eliminated in the past.”

23 In the [House](#), the following witnesses testified or registered in support of the amendment in committee: Blackwell, Mary (Self); Davidson, Zach (Self; Galveston County); Dugie, Hank (Self; Galveston County); King, Dawn (Self; Dickinson chamber of commerce); Lane, Chris (Self); Lewis, Spencer (Galveston county); Saunders, Sean (Self; League City); Schoellkopf, Shawn (Self; Digiworld Media); West, Justin (Self; Galveston County Precinct 4 Constable); Boney, W brad (Self); Brown, Della (Self); Erenwert, Brent (Self; City of friendswod council); Lewis, Roxann (Self); Wilbanks, Chad (Self); Prout, Tammy (Self); Ray, Douglas (Self); Reese, Jeff (Self); Rice, Chuck (Texas Association of County Auditors); Rickert, William (Self); Rushing, Sherry (Self); Salinas, Christina (Self); Sephus, Pauline (Self); Stidham, Bruce (Self); Swan, Leo (Self); Tennant, Amy (Self; County Treasurers Association of Texas); Tharp, Jennifer (Self; Comal County Criminal District Attorney’s Office); Turner, Brittini (Self; County Treasurer’s Association of Texas); Vieth, Patricia (Self); Weaver, Kristan (Self); Wendel, David (Self; Texas Association of County Auditors); Woolley, J.R. (Self; Justices of the Peace and Constables Association).

Opponents²⁴ say:

- “A stand-alone office of county treasurer that is headed by a person directly elected by county voters provides essential checks and balances in the operation of county government.”
- “Eliminating the office of county treasurer would not provide any real cost savings as the duties undertaken by the office would still be necessary and additional employees would need to be hired in other county departments to carry out those duties.”
- “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.”
- “Since the office of county treasurer is a constitutionally elected office, it is important to maintain the office.”

²⁴ In the [House](#), the following witnesses testified or registered in opposition of the amendment in committee: Furlow, Philip Mack (Self; 106th Judicial District Attorney); Hawkins, Gayla (Self; County Treasurers' Association of Texas); Helton, Bill (Self); Henderson, Jennifer (Self; County Treasurers' Association of Texas, Schleicher County); Lopez, Carlos (Self; Justices of the Peace and Constables Association of Texas); Medrano, Pauline (Self; County Treasurer's Association of Texas); Monk, Leann (Self); Soldan, Tracy (Self; County Treasurers Association of Texas); Tenorio, Daphne (Self); Wyatt, Dr. Carla (Self; Texas County Treasurers Association); Yeatts Brown, Cindy (Self; County Treasurers' Association of Texas); Adams, Dianna (Self); Ausbre, Shahayla (Self); Bailey, Brookelyn (Self); Bradshaw, Rosa (Self); Bush, Melanie (Self); Carcerano, Eric (Self; Chambers County District Attorney's Office); Crownover, Karrie (Self); Douglass, Linda (Self); English, Anita (Self); Glover, Desotius (Self); Gregory, Betty (Self); Griffin, Ebanie (Self); Haevischer, Bryan (Self); Harris, Gina (Self; County Treasurer Association of Texas); Hawthorne, Brian (Self; Sheriffs Association of Texas); Hudson, Katherine (Self; County Treasurer Association of Texas); Kile, Tandra (Self; County Treasurers' Association of Texas); Lee, Jacilet (Self); McCoy, Leigh (Self; County Treasurer's Association of Texas); McGinnis, Rhea (Self; County treasurers association of Texas); McGinnis, Rhea (COUNTY TREASURER OF TEXAS ASSOCIATION); Mitchell, Michael (Self); Pantel, Jama (Justices of the Peace and Constables Association of Texas); Pickens, Carolyn (Self; Brentwood Baptist Church); Price, Velva (County and District Clerk); In the [House](#), the following witness testified or registered on the amendment in committee: Hall Lecuona, Shawn (Self; Kri'ah b'shalom). In the [Senate](#), there were no witnesses registered in support or opposition of the amendment in committee.

PROPOSITION 13: The constitutional amendment to increase the mandatory age of retirement for state justices and judges ([HJR 107, 2023](#)).

Background: Under current law Texas state judges have a mandatory retirement age of 75 set by the Texas Constitution. The minimum age a judge or justice needs to reach before they can retire has been set at 70. HJR would amend the Texas Constitution to raise the mandatory age of retirement to 79 and also raise the minimum age that a judge or justice must reach before they can retire to 75. Because life expectancy has increased since these ages were set, HJR 107 proposes to increase these limits ([HJR 107 Resolution Analysis, 2023](#)).

Overview: Proposition 13 would increase the mandatory retirement age for state justices and judges from 75 to 79 and also increase the minimum age to retire from 70 to 75.

Ballot Language:

The constitutional amendment to increase the mandatory age of retirement for state justices and judges. ([Texas Secretary of State, 2023](#))

Supporters²⁵ say:

- “Because people are living and working longer than in decades past, it is appropriate to allow judges and justices to serve beyond the current mandatory retirement age of 75.”
- “Increasing the mandatory retirement age for judges and justices will allow experienced and competent public servants who are willing to continue to serve.”
- “Allowing judges and justices to serve longer could decrease turnover and ensure a more predictable and stable judicial system.”
- “Since judges and justices in Texas are elected, any issues with the performance of a particular judge or justice can be addressed by the electorate.”

Opponents²⁶ say:

No public opposition was recorded.

²⁵ In the [House](#), the following witnesses testified or registered in support of the amendment in committee: Walker, Jack (Texas Trial Lawyers Association); Birdsong, Kent (Self; Oldham County Attorneys Office); Borskey, Mark (Texas trucking association); Brown, James E. “Buster” (Self); Brown, Jay (Self); Christian, George (Texas Civil Justice League); Emerson, Jennifer (Self); Laine, Dale (Self; TASFRJ, Inc); Parsley, Lee (Texans for Lawsuit Reform); Tahuahua, Geoffrey (Associated Builders and Contractors of Texas). In the [Senate](#), the following witnesses testified or registered in support of the amendment in committee: Brown, J E Buster (Self) , Austin, TX; Emerson, Jennifer (Self) , Austin, TX; Herman, Guy, Judge (Self; Statutory Probate Judges of Texas), Austin, TX; Laine, Dale (Self; TX Assoc of Senior, Retired and Former Judges, Inc), Austin, TX; Wendell, Ware Executive Director (Texas Watch), Austin, TX.

²⁶ No witnesses testified or registered in opposition of the amendment in the [House](#) or [Senate](#).

PROPOSITION 14: Authorizing the creation of the Centennial Parks Conservation Fund ([SJR 74, 2023](#)).

Background: Currently the Texas Parks and Wildlife Department leases land from private corporations to create state parks. If the land leased by the state was sold by a private entity, then the park would have to be shut down. The proposed amendment empowers the state to purchase new land to open, maintain, and improve state parks ([SJR 74 Bill Analysis, 2023](#)). The amendment would create the Centennial Parks Conservation Fund as a trust fund outside the state treasury. The fund would consist of money appropriated, credited, or transferred by the Legislature; gifts, grants, and donations received by the Parks and Wildlife Department; and investment earnings. Money appropriated by the Legislature would be excluded from the state's appropriation limit. Money in the funds would be used to create and improve state parks. Any expenses incurred by the fund would be expensed from the fund. The proposition also prohibits money in the fund to be used for department salaries, employee benefits, costs associated with employee benefits or the administration of the department, or the maintenance and operation of the state parks ([SJR 74 Bill Analysis, 2023](#)).

Overview: Proposition 14 would create a fund limited to acquiring property to create and improve state parks. The proposition would prohibit funds requested to be used for costs associated with the administration of the department or the maintenance and operation of state parks.

Ballot Language:

The constitutional amendment providing for the creation of the centennial parks conservation fund to be used for the creation and improvement of state parks. ([Texas Secretary of State, 2023](#))

Supporters²⁷ 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.”
- “S.J.R. 74 would afford voters the opportunity to ensure that Texans and visitors alike can continue to enjoy the beauty of Texas’ parks for generations to come.”
- “Texas has lower park acreage per capita than many other states, and visitation to Texas’ parks has grown significantly in recent years.”
- “The current state park system is strained by user demand, with the vast majority of sites requiring reservations months in advance.”
- “The fund created by the proposed amendment would enable the state to purchase land for the development of new parks before land becomes more costly.”
- “State parks are a driver of economic activity and provide recreational, educational, and conservation opportunities.”

Comments by Opponent²⁸:

No public opposition was recorded.

²⁷ In the [Senate](#), the following witnesses testified or registered in support of the amendment in committee: Metzger, Luke, Executive Director (Self; Environment Texas), Austin, TX; Sreenivasan, Rahul, Policy Advisor (also providing written testimony) (Texas 2036), Austin, TX; Good, Kevin, President (Self; Texans for State Parks), Austin, TX; Hinkle, Ron (Texas Travel Alliance), Austin, TX; Reed, Cyrus, Conservation director (Lone star chapter Sierra club), Austin, TX; Shepperd, John, Executive Director (Self; Texas Foundation for Conservation), Austin, TX. In the [Senate](#), the following witnesses testified or registered on the amendment committee: Goshen, Danielle (also providing written testimony) (National Wildlife Federation), Austin, TX; Olson, Lori, Executive Director (Texas Land Trust Council), Wimberley, TX; Franklin, Rodney, State Parks Division Director (Texas Parks and Wildlife Department), Austin, TX.

²⁸ In the [Senate](#), no witnesses testified or registered in opposition of the amendment in committee. No witness list provided for the House on this amendment.

REFERENCES

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- HJR 2 Bill Analysis. Senate Research Center. 88th Texas Legislature. Regular. (2023). <https://capitol.texas.gov/tlodocs/88R/analysis/pdf/HJ00002S.pdf#navpanes=0>
- HJR 2. Enrolled. 88th Texas Legislature. 2nd Called Session. (2023a). <https://capitol.texas.gov/tlodocs/882/billtext/pdf/HJ00002F.pdf#navpanes=0>
- HJR 2. Enrolled. 88th Texas Legislature. Regular. (2023b). <https://capitol.texas.gov/tlodocs/88R/billtext/pdf/HJ00002F.pdf#navpanes=0>
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