

TOTAL COST: \$7.8 BILLION\*

# TEXAS

2023



## Constitutional Amendments

### Proposition 1 (HJR 126)

**How it will be described on the ballot:** The constitutional amendment protecting the right to engage in farming, ranching, timber production, horticulture, and wildlife management.

**Summary from the Texas Secretary of State:** HJR 126 proposes a constitutional amendment to protect a person's right to engage in generally accepted farm, ranch, timber production, horticulture, or wildlife management practices on real property that the person owns or leases. The proposed amendment would not affect the authority of the legislature to authorize the regulation of these practices by: (1) a state agency or political subdivision as necessary to protect the public health and safety from imminent danger; (2) a state agency to prevent a danger to animal health or crop production; or (3) a state agency or political subdivision to preserve or conserve the natural resources of the state under the Texas Constitution. Additionally, the proposed amendment would not affect the legislature's authority to authorize the use or acquisition of property for a public use, including the development of natural resources under the Texas Constitution.

**Key Points:** Protects citizens' rights to engage in farm, ranch, timber, horticulture, or wildlife management practices on land that they own. The amendment grants the legislature authority to step in and regulate these practices only in three very specific instances: Public health & safety. Animal health or crop production. Conservation of natural resources. The amendment also permits the legislature to use or acquire property only as is authorized by the Texas Constitution.

#### Biblical Principles to Consider:

Deuteronomy 10:14: All the earth belongs to God.  
Genesis 2:28: God granted dominion over the earth to man.  
Acts 5:4: Affirms the principles of ownership and authority over one's private property.  
Exodus 20:15: You shall not steal.  
Exodus 20:17: You shall not covet your neighbor's house; you shall not covet your neighbor's wife, nor his male servant, nor his female servant, nor his ox, nor his donkey, nor anything that is your neighbor's.

### Proposition 2 (SJR 64)

**How it will be described on the ballot:** 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.

**Summary from the Texas Secretary of State:** SJR 64 proposes a constitutional amendment to allow the governing body of a county or municipality to exempt from property taxation all or part of the appraised value of real property used to operate a child-care facility. The proposed amendment would authorize the governing body to adopt the exemption as a percentage of the appraised value of the property, but that percentage could not be less than 50% of the appraised value of the property. The proposed amendment also would allow the legislature to define the term "child-care facility" and to establish additional eligibility requirements to receive the property tax exemption.

**Key Points:** Allows counties and municipalities to exempt child-care facilities from taxation. Authorizes the exemption to be based on a percentage of appraised value, but not less than 50%. Allows the legislature to define "child-care facility" and to establish eligibility requirements. It is unknown how much this proposition will cost local taxing entities.\*

#### Biblical Principles to Consider:

Luke 20:25: And He said to them, "Then render to Caesar the things that are Caesar's, and to God the things that are God's."  
Romans 13:7a: Render to all what is due them: tax to whom tax is due.  
Deuteronomy 1:17a: You shall not show partiality in judgment; you shall hear the small as well as the great;  
Proverbs 28:21: To show partiality is not good, Because for a piece of bread a man will transgress.  
James 2:9a: but if you show partiality, you commit sin...  
Proverbs 20:10: Diverse weights and diverse measures, They are both alike, an abomination to the Lord.



### Proposition 3 (HJR 132)

**How it will be described on the ballot:** 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.

**Summary from the Texas Secretary of State:** HJR 132 proposes a constitutional amendment to prohibit the legislature from imposing a tax based on the wealth or net worth of an individual or family. The proposed amendment also would prohibit the legislature from imposing a tax based on the difference between the assets and liabilities of an individual or family.

**Key Points:** Bars the legislature from imposing a tax based on the net worth of an individual or family. Bars the legislature from imposing a tax based on the difference between assets and liabilities of an individual or family.

#### Biblical Principles to Consider:

The Bible provides for only two types of taxes:

Equal-amount tax (i.e. poll tax): Exodus 30:11-16

Equally proportioned (flat-rate) tax: Numbers 18:21-24, Deuteronomy 14:22-29, and 26:12-13.

Luke 20:25: see Proposition 2.

Romans 13:7a: see Proposition 2.

### Proposition 4 (HJR 2)

**How it will be described on the ballot:** 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.

**Summary from the Texas Secretary of State:** HJR 2 proposes a constitutional amendment to modify certain provisions of the Texas Constitution related to property taxes. The proposed amendment would authorize the legislature to temporarily limit the maximum appraised value of real property for property tax purposes in a tax year. The proposed amendment also would increase the mandatory homestead exemption for school district property taxation from \$40,000 to \$100,000. The proposed amendment would require the legislature to provide for a reduction in the amount of the limitation on school district property taxes imposed on the residence homestead of the elderly or disabled. Additionally, the amendment would exempt appropriations not dedicated by the Texas Constitution and used for property tax relief from being considered as appropriations when determining whether the rate of growth of appropriations in a biennium has exceeded the constitutional tax spending limit. The proposed amendment would further authorize the legislature to provide that members serving on an appraisal board in a county with a population of at least 75,000 serve terms not to exceed four years.

**Key Points:** Gives the legislature the authority to temporarily limit the maximum appraised taxable values for real estate for a given tax year. Increases the homestead exemption from \$40,000 to \$100,000. Reduces the amount of limitation on school district taxes for the disabled and elderly. This means that the limitation on school district taxes will be reduced, resulting in a higher tax burden for the elderly and disabled. Nevertheless, when combined with the increased homestead exemption, the elderly and disabled will see their taxes lowered, but the net benefit will be less than what they would see without this reduction in the limitation.

Exempts property tax relief efforts from being labeled as state spending (appropriations), when calculating whether the state overspent, according to constitutional spending limits. Imposes a four-year term limit on members of a county's tax appraisal board.

#### Biblical Principles to Consider:

Luke 20:25: see Proposition 2.

Romans 13:7a: see Proposition 2.

The Bible provides for only two types of taxes: see Proposition 3. "Property is so sacred that there is a complete absence of any land or property taxes in Biblical law" (Quine, 2019)

### Proposition 5 (HJR 3)

**How it will be described on the ballot:** 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.

**Summary from the Texas Secretary of State:** HJR 3 proposes a constitutional amendment to redesignate the national research university fund as the Texas University Fund (TUF), and to appropriate funds from the economic stabilization fund to the TUF. The proposed amendment would appropriate to the TUF an amount equal to the interest income, dividends, and investment earnings attributable to the economic stabilization fund for the preceding state fiscal year. The appropriation amount could not exceed \$100 million for the state fiscal year beginning September 1, 2023, or an amount adjusted for the increase in the general price index, not to exceed two percent, in subsequent state fiscal years. The proposed amendment also would prohibit any state university that is entitled to participate in dedicated funding provided by Article VII, Section 18 of the Texas Constitution from receiving money from the TUF.

**Key Points:** Renames the National Research University Fund as the Texas University Fund (TUF). Moves funds from the Economic Stabilization Fund (Texas' "Rainy Day Fund") to the TUF. Transferred amounts are not to exceed \$100 million dollars per year. TUF funding will go to major research universities in Texas, to make them more prominent, nationally. State universities already receiving funding under Article VII, Section 18, of the Texas Constitution may not receive new money from the TUF.

This proposition will cost Texas taxpayers an estimated \$208.4 million dollars each year.\*

#### Biblical Principles to Consider:

1 Samuel 8:11-18: And he said, "This will be the behavior of the king who will reign over you: He will take your sons and appoint them for his own chariots and to be his horsemen, and some will run before his chariots. He will appoint



captains over his thousands and captains over his fifties, will set some to plow his ground and reap his harvest, and some to make his weapons of war and equipment for his chariots. He will take your daughters to be perfumers, cooks, and bakers. And he will take the best of your fields, your vineyards, and your olive groves, and give them to his servants. He will take a tenth of your grain and your vintage, and give it to his officers and servants. And he will take your male servants, your female servants, your finest young men, and your donkeys, and put them to his work. He will take a tenth of your sheep. And you will be his servants. And you will cry out in that day because of your king whom you have chosen for yourselves, and the Lord will not hear you in that day.”

Deuteronomy 1:17a: see Proposition 2.

Proverbs 28:21: see Proposition 2.

James 2:9a: see Proposition 2.

Proverbs 20:10: see Proposition 2.

### Proposition 6 (SJR 75)

**How it will be described on the ballot:** The constitutional amendment creating the Texas water fund to assist in financing water projects in this state.

**Summary from the Texas Secretary of State:** SJR 75 proposes a constitutional amendment to create the Texas water fund. The Texas water fund would be a special fund in the state treasury outside the general revenue fund, administered by the Texas Water Development Board (TWDB) or its successor to assist in financing water projects in the state. The proposed amendment would direct the Texas water fund administrator to use the fund only to transfer money to other TWDB funds or accounts. The proposed amendment would authorize the legislature to appropriate money for deposit to the water fund to be available for permitted transfers. No further legislative appropriation would be required for the water fund administrator to transfer money from or restore money to the fund, including the transfer of money to or the restoration of money from certain designated TWDB funds and accounts. The water fund would consist of: (1) money transferred or deposited to the fund by general law; (2) other revenue that the legislature by statute dedicates for deposit to the fund; (3) investment earnings and interest earned on amounts credited to the fund; (4) money from gifts, grants, and donations to the fund; and (5) money returned from any authorized transfer. The proposed amendment would require the legislature, by general law, to provide for the manner in which money from the Texas water fund may be used. The proposed amendment also would require that at least 25% of the money initially appropriated to the Texas water fund be transferred to the New Water Supply for Texas Fund.

**Key Points:** Creates the Texas Water Fund, to be administered by the Texas Water Development Board (TWDB). Authorizes the legislature to provide tax money for the fund. Requires the legislature to decide how Texas Water Fund money will be spent.

This proposition will cost Texas taxpayers an estimated \$1 billion dollars.\*

#### Biblical Principles to Consider:

1 Peter 2:13-14: God gave government the limited

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role of enacting justice: punish those who do wrong, and commend those who do right.

Deuteronomy 1:17a: see Proposition 2.

Proverbs 28:21: see Proposition 2.

James 2:9a: see Proposition 2.

Proverbs 20:10: see Proposition 2.

### Proposition 7 (SJR 93)

**How it will be described on the ballot:** The constitutional amendment providing for the creation of the Texas energy fund to support the construction, maintenance, modernization, and operation of electric generating facilities.

**Summary from the Texas Secretary of State:** SJR 93 proposes a constitutional amendment to establish the Texas energy fund. The Texas energy fund would be a special fund in the state treasury outside the general revenue fund, administered by the Public Utility Commission of Texas (PUC) or its successor. Money in the Texas energy fund could be used, without further appropriation, only by PUC or its successor to provide loans and grants to finance or incentivize the construction, maintenance, modernization, and operation of electric generating facilities necessary to ensure the reliability or adequacy of an electric power grid in the state. The proposed amendment would require PUC to allocate money from the fund for loans and grants to eligible projects for electric generating facilities that serve as backup power sources and in each region of the state that is part of an electric power grid in proportion to that region's load share. The Texas energy fund would consist of: (1) money credited, appropriated, or transferred to the fund by or as authorized by the legislature; (2) revenue that the legislature dedicates for deposit to the fund; (3) the returns received from the investment of the money in the fund; and (4) gifts, grants, and donations contributed to the fund.

**Key Points:** Establishes the Texas Energy Fund, to be administered by the Public Utility Commission (PUC). New funds would be used for electricity-generating facilities, to maintain the Texas electric power grid. The fund would also fund projects for backup power.

This proposition will cost Texas taxpayers an estimated \$5 billion dollars.\*

#### Biblical Principles to Consider:

1 Peter 2:13-14: see Proposition 6.

Deuteronomy 1:17a: see Proposition 2.

Proverbs 28:21: see Proposition 2.

James 2:9a: see Proposition 2.

Proverbs 20:10: see Proposition 2.

### Proposition 8 (HJR 125)

**How it will be described on the ballot:** The constitutional amendment creating the broadband infrastructure fund to expand high-speed broadband access and assist in the financing of connectivity projects.

**Summary from the Texas Secretary of State:** HJR 125 proposes a constitutional amendment to create the broadband infrastructure fund. The broadband infrastructure fund would be a special fund in the state treasury outside the general revenue fund, administered by the Texas Comptroller of Public Accounts (Comptroller). Money from the fund could be used, without further appropriation, only for the expansion of access to and adoption of broadband and telecommunications services. The broadband infrastructure fund would consist of: (1) money transferred or deposited to the fund by the Texas Constitution, general law, or the General Appropriations Act; (2) revenue that the legislature by general law dedicates for deposit to the fund; (3) investment earnings and interest

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earned on money in the fund; and (4) gifts, grants, and donations to the fund. The proposed amendment would authorize the Comptroller to transfer money from the broadband infrastructure fund to another fund as provided by general law, and the state agency that administers the fund to which any money is transferred could use the money without further appropriation only for the expansion of access to and adoption of broadband and telecommunications services. The broadband infrastructure fund would expire on September 1, 2035, unless extended by adoption of a joint resolution of the legislature. Immediately before the expiration of the fund, the Comptroller would be required to transfer any unexpended and unobligated balance remaining in the broadband infrastructure fund to the general revenue fund.

**Key Points:** Creates the Broadband Infrastructure Fund, administered by the Texas State Comptroller. The fund can be used to expand access to broadband internet and telecommunications. This fund expires on September 1, 2035, unless extended. Any remaining funds will be deposited in the General Revenue Fund.

This proposition will cost Texas taxpayers an estimated \$1.5 billion dollars.\*

**Biblical Principles to Consider:**

- 1 Peter 2:13-14: see Proposition 6.
- Deuteronomy 1:17a: see Proposition 2.
- Proverbs 28:21: see Proposition 2.
- James 2:9a: see Proposition 2.
- Proverbs 20:10: see Proposition 2.

**Proposition 9 (HJR 2)**

**How it will be described on the ballot:** The constitutional amendment authorizing the 88th Legislature to provide a cost-of-living adjustment to certain annuitants of the Teacher Retirement System of Texas.

**Summary from the Texas Secretary of State:** HJR 2 proposes a constitutional amendment to authorize the legislature to provide a cost-of-living adjustment to eligible annuitants of the Teacher Retirement System of Texas (TRS). The proposed amendment also would authorize the legislature to appropriate money from the general revenue fund to the Texas Comptroller of Public Accounts to pay the cost-of-living adjustment.

**Key Points:** Gives the legislature the authority to provide adjusted cost-of-living payments to retired teachers in the Teacher Retirement System of Texas. Authorizes the legislature to make the adjusted payments out of the general revenue fund taxes.

**Biblical Principles to Consider:**

- 1 Samuel 8:11-18: see Proposition 5.
- Deuteronomy 1:17a: see Proposition 2.
- Proverbs 28:21: see Proposition 2.
- James 2:9a: see Proposition 2.
- Proverbs 20:10: see Proposition 2.
- 1 Peter 2:13-14: see Proposition 6.

**Proposition 10 (SJR 87)**

**How it will be described on the ballot:** 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.

**Summary from the Texas Secretary of State:** SJR 87 proposes a constitutional amendment to allow the legislature to exempt from property taxation tangible personal property held by a medical or biomedical manufacturer as a finished good or used in the manufacturing or processing of medical or biomedical products.

**Key Points:** Allows the legislature to exempt medical or biomedical manufacturing equipment or inventory from taxes.

This proposition will cost Texas taxpayers an estimated total of \$79 million dollars.\*

**Biblical Principles to Consider:**

- Deuteronomy 1:17a: see Proposition 2.
- Proverbs 28:21: see Proposition 2.
- James 2:9a: see Proposition 2.
- Proverbs 20:10: see Proposition 2.

**Proposition 11 (SJR 32)**

**How it will be described on the ballot:** 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.

**Summary from the Texas Secretary of State:** SJR 32 proposes a constitutional amendment to expand the authority of the legislature with regard to conservation and reclamation districts in El Paso County. The Texas Constitution permits conservation and reclamation districts in certain counties across the state to issue bonds to fund the development and maintenance of parks and recreational facilities but does not currently provide this authority to El Paso County. The proposed amendment would add conservation and reclamation districts in El Paso County to those districts currently allowed, if authorized by general law, to issue bonds supported by property taxes to fund the development and maintenance of parks and recreational facilities. The proposed amendment would not limit the powers of the legislature or of a conservation and reclamation district with respect to parks and recreational facilities as those powers currently exist.

**Key Points:** Grants the legislature new authority to establish “conservation and reclamation” districts in El Paso County for parks and recreational facilities. Allows the El Paso district to allocate taxes and issue bonds to develop and maintain their parks and recreational facilities.

**Biblical Principles to Consider:**

- Deuteronomy 1:17a: see Proposition 2.
- Proverbs 28:21: see Proposition 2.
- James 2:9a: see Proposition 2.
- 1 Samuel 8:11-18: see Proposition 5.
- Proverbs 22:7: The rich rules over the poor, And the borrower is servant to the lender.
- Proverbs 22:26: Do not be one of those who shakes hands in a pledge, One of those who is surety for debts;
- Proverbs 20:10: see Proposition 2.



## Proposition 12 (HJR 134)

**How it will be described on the ballot:** The constitutional amendment providing for the abolition of the office of county treasurer in Galveston County.

**Summary from the Texas Secretary of State:** HJR 134 proposes a constitutional amendment to abolish the office of County Treasurer in Galveston County. The amendment would authorize the Galveston County Commissioners Court to employ or contract with a qualified person or designate another county officer to perform any functions that would have been performed by the County Treasurer. The proposed amendment would take effect only if a majority of the voters of Galveston County voting on the proposition favor the amendment.

**Key Points:** Abolishes the office of County Treasurer in Galveston County in order to downsize costs (as done previously in 9 other counties). Authorizes the Galveston County Commissioners Court to employ or contract someone else to perform the duties of a County Treasurer.

### Biblical Principles to Consider:

Exodus 18:21: Moreover you shall select from all the people able men, such as fear God, men of truth, hating covetousness; and place such over them to be rulers of thousands, rulers of hundreds, rulers of fifties, and rulers of tens.

Proverbs 6:6-8: Go to the ant, you sluggard! Consider her ways and be wise, Which, having no captain, Overseer or ruler, Provides her supplies in the summer, And gathers her food in the harvest.

Proverbs 16:16: How much better to get wisdom than gold! And to get understanding is to be chosen rather than silver.

## Proposition 13 (HJR 107)

**How it will be described on the ballot:** The constitutional amendment to increase the mandatory age of retirement for state justices and judges.

**Summary from the Texas Secretary of State:** HJR 107 proposes a constitutional amendment to increase the mandatory retirement age for state justices and judges. Currently, the Texas Constitution establishes that justices and judges of the appellate courts, district courts, and criminal district courts must retire on the expiration of the term during which they reach the age of 75 years or an earlier age, not less than 70 years, as the legislature may prescribe. The proposed amendment would change the mandatory retirement age for justices and judges of the appellate courts, district courts, and criminal district courts to 79 years or an earlier age, not less than 75 years, as the legislature may prescribe. The proposed amendment also would remove the provision stating that justices and judges may only serve until December 31 of their fourth year in office if they reach the age of 75 years in the first four years of a six-year term.

### Key Points:

Increases the mandatory retirement ages for state justices and judges from 75 to 79. Removes the provision that justices and judges may only serve until December 31 of their fourth year in office if they reach the age of 75 within the first four years of a six-year term.



### Biblical Principles to Consider:

Exodus 18:21: see Proposition 12.

2 Chronicles 19:6-7: He said to the judges, "Consider what you are doing, for you do not judge for man but for the Lord who is with you when you render judgment. Now then let the fear of the Lord be upon you; be very careful what you do, for the Lord our God will have no part in unrighteousness or partiality or the taking of a bribe."

Proverbs 22:29: Do you see a man skilled in his work? He will stand before kings; He will not stand before obscure men.

Proverbs 24:23: These also are sayings of the wise. To show partiality in judgment is not good.

## Proposition 14 (SJR 74)

**How it will be described on the ballot:** The constitutional amendment providing for the creation of the centennial parks conservation fund to be used for the creation and improvement of state parks.

**Summary from the Texas Secretary of State:** SJR 74 proposes a constitutional amendment to establish the centennial parks conservation fund as a trust fund outside the state treasury. The fund could be used, in accordance with general law, only for the creation and improvement of state parks. The centennial parks conservation fund would consist of: (1) money appropriated, credited, or transferred to the fund by the legislature; (2) gifts, grants, and donations received by the Texas Parks and Wildlife Department (TPWD) or its successor for a purpose for which money in the fund may be used; and (3) investment earnings and interest earned on amounts credited to the fund. The proposed amendment would authorize the legislature to appropriate money from the centennial parks conservation fund to TPWD or its successor for the creation and improvement of state parks.

**Key Points:** Establishes the Centennial Parks Conservation Fund as a trust fund outside the state treasury. Funds are to be used for the creation and improvement of state parks, in association with the Texas Parks and Wildlife Department. Cost to the taxpayers is unknown.

### Biblical Principles to Consider:

1 Peter 2:13-14: see Proposition 6.

1 Samuel 8:11-18: see Proposition 5.

*\*Source for cost Estimates: These cost estimates were taken from the Huffines Liberty Foundation document: More Corporate Welfare in the Texas Constitution, Six Propositions on the November 7 Ballot. Read more at: <https://huffinesliberty.com/news/more-corporate-welfare-in-the-texas-constitution-six-propositions-on-the-november-7-ballot>*

*Full Text: To obtain the full text of any proposed amendment, go to Texas Legislature Online (<https://capitol.texas.gov/Home.aspx>) and search by Legislature: 87(R) - 2021, and the Bill Number (e.g. HJR 143). The full text of the bill is available as a pdf. There will be multiple versions – you will want the final (enrolled) version.*