

2023 TEXAS CONSTITUTIONAL AMENDMENTS

Hays County Democratic Party Recommendations

PROPOSITION 1

NO

Establishes a right to engage in farming, ranching, timber production, horticulture, and wildlife management

In spite of virtually unanimous support by the Texas House and Senate, this amendment is largely unnecessary, vaguely worded, and cripples local governments who must present “clear and convincing evidence” that any ordinance or regulation is necessary to protect the public health and safety from imminent danger. The Farm and Ranch Freedom Alliance is quoted in Ballotpedia as opposing: “While it sounds good (to support farming, etc.) and it will help some farmers who are struggling with unfair government regulations, the amendment goes much too far and will end up hurting both farmers and communities. ... It uses broad language and sets standards that can be used to prevent not only local governments, but state agencies and even future state legislatures from taking action to rein in operations that truly harm their neighbors and communities.” Also see the Bexar County Dems analysis [here](#).

While we need tools to rein in HOAs prohibiting keeping chicken and mandating lawns, for example, this amendment is simply another tool to destroy true local control. Prop 1 appears to support special interest industries rather than small farmers with the intent of pulling away local zoning control in favor of business interests.

PROPOSITION 2

YES

Allows local governments to exempt childcare facilities from property taxes

With the rising costs for child care and limited facilities available in many areas around the state, this will reduce costs for centers so more can remain open and be built. Savings may be used to improve staff wages and benefits.

A caution to consider is that the Enabling legislation [SB 1145](#) makes it clear that this tax benefit can be offered whether or not the facility is operated for profit or charges for the services it offers. In spite of potentially including a tax break for for profit entities, HCDP recommends a yes vote.

See also the [commentary](#) by the Bexar Dems, who also recommend a yes vote.

PROPOSITION 3

NO

Proposing a constitutional amendment prohibiting the imposition of an individual net worth or wealth tax

HJR 132, [Proposition 3](#): "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."

According to the Texas Tribune, wealth tax could allow future legislatures to collect taxes tax on a person based on the market value of assets they own, which can include real property and retirement accounts, minus their debts or liabilities, such as bankruptcies. Texas has not introduced this and does not have a similar tax.

Supporters of wealth taxes argue that they could be targeted at the extremely wealthy and could be very low, that the definition of "wealth" can be defined in a way that best suits Texas, and that it would help pay for costly programs without impacting lower-income people. Critics say raising taxes on someone's wealth discourages business and that the revenue from it will be less than anticipated.

This amendment could be used as a trap by Rs to paint Dems as pro-tax. Don't get caught in that trap. The Hays County Democratic Party is not endorsing adopting a wealth tax. But it is very short-sighted to enshrine in the state constitution to never consider one in the future. Texas relies too heavily on regressive sales and property taxes and the state has already amended the constitution to not allow a personal income tax. It is impossible to know how the economy may change in the future and it makes no sense to take a possible source of tax revenue off the table.

Nine of 12 Senate Democrats opposed this measure, including Sen. Zaffirini. Forty-five Democratic Representatives opposed it including the Austin area representatives and Rep. Zwiener. Sixteen Dems voted for this proposition.

PROPOSITION 4

YES

Increase homestead tax exemption to \$100,000 and increase state funding for public education

The Lege approved a \$12.7b package of property tax cuts that must be approved by voters to take effect. In most cases, property taxes for school districts are a person's highest property tax. This would provide \$7.1b going to school districts, resulting in tax relief for taxpayers. Also, the amendment would raise the state's school district homestead exemption from \$40,000 to \$100,000 annually, resulting in a tax saving of \$5.6b. Again, a saving for the taxpayer. However, note that the Lege will have to come up with these funds every two years for much of this to continue.

See the [Bexar Dems' analysis](#) for shortcomings of this prop, notably that the future, ongoing funding is not guaranteed. Since this package is paid for out of the current surplus funding the Legislature had available to allocate in 2023, future legislatures will need to be reminded to continue to replace the lost property tax revenue to the schools.

Other tax savings are also provided. Also of note is that, if passed, voters would be able to elect 3 members of their local appraisal district's board of directors, which are currently appointed. This would give voters/taxpayers a direct voice in taxing policies in their counties.

HCDP recommends a Yes vote on Prop. 4



PROPOSITION 5

YES

Renames the National Research University Fund to the Texas University Fund and establishes an ongoing revenue source from the accrued interest of the economic stabilization fund

The renamed Texas University Fund (TUF) would gain the annual interest income, dividends and investment earnings from Texas' Rainy Day fund to support research at state universities. Currently, the Texas Constitution provides funding only for the University of Texas and Texas A&M systems, through the Permanent University Fund (PUF). Four universities would qualify for the research endowment: Texas State University, Texas Tech University, University of Houston, University of North Texas.

More equity in state university funding is long overdue and would allow other Texas universities to develop research centers in Texas. The intent is to make these universities more competitive and strong, especially in areas that will be important for regional and state economic development.



PROPOSITION 6

YES

Creates the Texas Water Fund to finance water projects in the state

Water infrastructure needs in Texas total in the billions, in order to cover aging and failing pipes and build out new water supply sources. It is estimated that the state loses 136 billion gallons of water a year to leaking water main pipes. Additionally, the state will be 7 million acre-feet short of supply in the next 50 years. Prop 6 allows the state to create the Texas Water Fund to continue investment in water for years to come.

PROPOSITION 7

NO

Creates the Texas Energy Fund and authorizes funding to modernize electric generation facilities

This amendment will spend billions of taxpayer money to support the development of new, privately owned natural gas power plants.

While our climate is rapidly warming and the climate crisis intensifies, Texas is giving away money to the fossil fuel industry. While we need to expand and improve renewable energy, these energy sources and companies are excluded from these low interest loans. The amendment also fails to protect consumers from rate increases and does not link the Texas grid to the national grid.

[See the Bexar Dems' analysis](#) for more details as to why to oppose Prop. 7.



PROPOSITION 8

YES

Creates the Texas Broadband Infrastructure Fund to finance high-speed broadband access

The Broadband Infrastructure Fund would be financed through money allocated by the state legislature, gifts, grants, and investment earnings. The purpose of the fund would be to enhance the availability and usage of broadband and telecommunications services, in rural areas, as well as underserved areas within larger markets.



PROPOSITION 9

YES

Authorizes the legislature to provide a cost-of-living adjustment to certain annuitants of the Teacher Retirement System of Texas

Texas retired public school teachers and employees (Teacher Retirement System, TRS) have not had a Cost of Living Raise (COLA) in about 20 years. Long overdue.

But, It's a one time COLA and the cost is \$5b to be paid from the state's \$33b budget surplus.

It provides for: 6% for annuitants who retired on or before August 31, 2001; 4% for TRS members who retired between September 1, 2001 and August 31, 2013; and 2% for those who retired between September 1, 2013 and August 31, 2020. If the amendment passes, the COLA will start in January, 2024.

For a future COLA, retirees will have to go back to the Lege for further funding.

PROPOSITION 10

NO

Authorizes an ad valorem tax exemption on equipment and inventory manufactured by medical or biomedical companies

SJR 87 [Proposition 10](#): Proposing a 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.

[Senate Bill 2289](#) (2023) is the enabling legislation.

According to the [Texas Tribune](#) supporters say this tax break will encourage more manufacturers in the medical industry to locate in Texas, lower healthcare costs and strengthen the medical supply chain. All 12 Democratic Senators voted for this amendment. Fifty-seven House Dems voted for it including Rep. Zwiener.

According to the [Texas Legislative Budget Board](#) this property tax cut for medical equipment suppliers would result in a loss to school districts of about \$43 million in 2025 increasing to \$60 million in 2028 for a whopping loss to schools of \$207 million over the next 5 years. There is no provision for the legislature to replace those lost school funds, but school districts could raise taxes on you and me to cover this loss.



PROPOSITION 11

YES

Authorizes the state legislature to permit conservation and reclamation districts in El Paso County to allow the county to issue bonds to fund parks and recreational facilities.

This amendment would add El Paso County to the list of counties permitted to issue bonds supported by property taxes to fund recreational development. County conservation and reclamation districts are in charge of managing stormwater, land irrigation and the conservation of forests within their designated boundaries.

Local governments need to be in control of local issues. Recreational spaces for people play an important part of residents' health and the health of communities overall. It is also a way to develop the area's economy in a sustainable way. Every Democrat in the TX Lege supported this.

PROPOSITION 12

NO

Abolishes the Galveston County Treasurer

If passed by a majority of Texans and a majority of Galveston County residents, this amendment would abolish Galveston County's office of the county treasurer. While this process was used by a few counties in the 1980s to eliminate their treasurer's office, things have changed a lot in the almost 40 years since and there's an anti-government bent to this effort in Galveston County.

The County Treasurers Association of Texas and Justices of the Peace and Constables Association of Texas oppose this amendment. See a thorough analysis of this prop and why to vote against it [here](#).



PROPOSITION 13

YES

Increases the mandatory retirement age for state judges from 75 to 79 and the minimum retirement age from 70 to 75

Prop 13 would raise the mandatory retirement age for state judges to 79 in light of longer life expectancies. According to the [Senate Research Center](#), the bill also would remove a provision stating that judges may serve until December 31 of their fourth year in office if they reach the age of 75 in the first four years of their term. Since state judges are elected, ultimately it's the voters who decide. All state legal organizations on both sides of the political spectrum support this change. All Democrats in the legislature voted for this amendment.



PROPOSITION 14

YES

Creates the Centennial Parks Conservation Fund to be used for the creation and improvement of state parks

The amendment would create a trust fund OUTSIDE OF THE STATE TREASURY. The fund would consist of money given by the legislature, gifts, grants, and donations received by Texas Parks and Wildlife Department and investment earnings.

Texas state parks are hugely beneficial for our state and Texans. It's where we all can hike, camp, hunt or fish. State parks also play an important role for protecting our drinking water, environment and wildlife habitat. However, Texas ranks a dismal 35 out of 50 states for state park acreage per capita. Our population is growing and state parks are overcrowded and under stress. We desperately need more state park land and current state parks need improvement and upgrades.

These are the RECOMMENDATIONS of the Hays County Democratic Party. There are reservations about some of these Amendments, particularly about Amendments 2 and 4.

We urge all voters to educate themselves on the Pros and Cons of each Proposition prior to casting their ballot.