

CONDENSED ANALYSES OF PROPOSED CONSTITUTIONAL AMENDMENTS

88th Texas Legislature
November 7, 2023, Election



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Proposition 1 (H.J.R. 126, 88th Leg., R.S.)

The constitutional amendment protecting the right to engage in farming, ranching, timber production, horticulture, and wildlife management.

Summary Analysis

The proposed constitutional amendment creates a new right for people to engage in generally accepted farm, ranch, timber production, horticulture, and wildlife management practices on land they own or lease. The proposed amendment does not affect the legislature's authority to authorize state or local regulation of those agricultural practices when necessary to protect health and safety, animal health and crop production, or natural resources, or to use the power of eminent domain.

Summary of Comments

The following comments supporting or opposing the proposed amendment reflect positions that were presented in committee proceedings, during house or senate floor debate, or in the analysis of the resolution prepared by the House Research Organization (HRO) when the resolution was considered by the House of Representatives.

Comments by Supporters

- 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 ranchland.
- 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.

Comments by Opponents

- 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.

Proposition 2 (S.J.R. 64, 88th Leg., R.S.)

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 Analysis

S.J.R. 64, 88th Legislature, Regular Session, 2023, proposes to add Section 1-r to Article VIII, Texas Constitution, to authorize the governing body of a county or municipality to exempt from ad valorem taxation all or part of the appraised value of real property used to operate a child-care facility. The resolution authorizes the governing body of the county or municipality to adopt the exemption as a percentage of the appraised value of the property, provided that the percentage adopted by the governing body is not less than 50 percent. The resolution further authorizes the legislature by general law to define “child-care facility” for purposes of the exemption and to prescribe eligibility requirements for the exemption.

Summary of Comments

The following comments supporting or opposing the proposed amendment reflect positions that were presented in committee proceedings, during house or senate floor debate, or in the analysis of the resolution prepared by the House Research Organization (HRO) when the resolution was considered by the House of Representatives.

Comments by Supporters

- 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 child-care 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.

Comments by Opponents

- No opposition to the proposed constitutional amendment was expressed during legislative consideration of the proposal.

Proposition 3 (H.J.R. 132, 88th Leg., R.S.)

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 Analysis

H.J.R. 132 would amend the Texas Constitution to prohibit the legislature from imposing a tax on the wealth or net worth of individuals or families. The prohibition would specifically cover a tax on the amount equal to the difference between the assets and liabilities of an individual or family.

Summary of Comments

The following comments supporting or opposing the proposed amendment reflect positions that were presented in committee proceedings, during house or senate floor debate, or in the analysis of the resolution prepared by the House Research Organization (HRO) when the resolution was considered by the House of Representatives.

Comments by Supporters

- 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.

Comments by Opponents

- 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.

Proposition 4 (H.J.R. 2, 88th Leg., 2nd C.S.)

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 Analysis

H.J.R. 2, 88th Legislature, 2nd Called Session, 2023, proposes several amendments to the Texas Constitution relating to ad valorem taxes and the administration of the ad valorem tax system. S.B. 2, 88th Legislature, 2nd Called Session, 2023, the Property Tax Relief Act, is the enabling legislation for the proposed amendments.

1. The proposed constitutional amendment authorizes the legislature to establish a temporary limit on the maximum appraised value of real property other than a residence homestead in a tax year of the lesser of the market value of the property or 120 percent, or a greater percentage, of the appraised value of the property for the preceding tax year. If the proposed amendment is approved by the voters, S.B. 2 implements this appraisal limit so that the appraised value of real property does not increase by more than 20 percent a year for the next three years.
2. The proposed amendment increases the portion of the market value of a residence homestead that is exempt from ad valorem taxation for public school purposes from \$40,000 to \$100,000.
3. The proposed amendment provides for a reduction of the limitation, or "tax freeze," on the total amount of ad valorem taxes that may be imposed for public school purposes on the homestead of an elderly or disabled person to reflect increases in the amount of school district residence homestead exemptions, including the increase to \$100,000 described above and any future increases.
4. The proposed amendment excepts appropriations of state tax revenue for purposes of paying for ad valorem tax relief from the constitutional limit on the rate of growth of appropriations. This change has the effect of exempting state payments to reduce school district taxes from the general state spending cap on appropriations and applies to the amounts appropriated by the 88th Legislature to decrease school tax rates as directed by S.B. 2.
5. Finally, the proposed amendment authorizes the legislature to provide for four-year terms for members of the governing body of an appraisal district established for a county with a population of 75,000 or more. S.B. 2, which provides for a combination of elected and appointed appraisal district board members in counties with a population of 75,000 or more if this amendment is approved, increases the terms of board members in those populous counties to four years.

Summary of Comments

The following comments supporting or opposing the proposed amendment reflect positions that were presented in committee proceedings, during house or senate floor debate, or in the analysis of the resolution prepared by the House Research Organization (HRO) when the resolution was considered by the House of Representatives.

Comments by Supporters

- 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.
- 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.

Comments by Opponents

- 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.

Proposition 5 (H.J.R. 3, 88th Leg., R.S.)

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 Analysis

H.J.R. 3, 88th Legislature, Regular Session, 2023, proposes an amendment to the Texas Constitution to rename the national research university fund, which is used to support emerging research universities in Texas, as the Texas University Fund. The amendment would exclude state universities that are supported by the Permanent University Fund (PUF) from eligibility to receive money from the Texas University Fund, and exempt money in the fund and state tax revenues appropriated to the fund from the constitutional state spending cap, which generally limits the rate of growth of appropriations. The proposed amendment further provides for a dedicated source of revenue for the Texas University Fund from the interest income, dividends, and investment earnings attributable to the state's economic stabilization fund ("rainy day fund"), not to exceed \$100 million per state fiscal year, as adjusted for inflation up to two percent per state fiscal year after the 2024 state fiscal year.

Summary of Comments

The following comments supporting or opposing the proposed amendment reflect positions that were presented in committee proceedings, during house or senate floor debate, or in the analysis of the resolution prepared by the House Research Organization (HRO) when the resolution was considered by the House of Representatives.

Comments by Supporters

- 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.

Comments by Opponents

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

Proposition 6 (S.J.R. 75, 88th Leg., R.S.)

The constitutional amendment creating the Texas water fund to assist in financing water projects in this state.

Summary Analysis

S.J.R. 75 proposes an amendment to the Texas Constitution to create the Texas water fund as a special fund in the state treasury outside the general revenue fund to be administered by the Texas Water Development Board or that board's successor in function. The resolution authorizes the administrator of the fund to use the fund only to transfer money to other funds or accounts administered by the board or its successor in function. The resolution also provides that money transferred from the fund to another fund or account may be spent as provided by general law, or may be restored to the Texas water fund without further appropriation. The resolution provides that not less than 25 percent of the initial appropriation to the fund must be used for transfer to the New Water Supply for Texas Fund. The resolution authorizes the expenses of managing the investments of the Texas water fund to be paid from that fund. Finally, the resolution provides that an appropriation of state tax revenues for the purpose of depositing money to the credit of the fund does not count against the constitutional limit on the rate of growth of appropriations, which has the effect of excluding the appropriation from the state spending limit.

Summary of Comments

The following comments supporting or opposing the proposed amendment reflect positions that were presented in committee proceedings, during house or senate floor debate, or in the analysis of the resolution prepared by the House Research Organization (HRO) when the resolution was considered by the House of Representatives.

Comments by Supporters

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

Comments by Opponents

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

Proposition 7 (S.J.R. 93, 88th Leg., R.S.)

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 Analysis

S.J.R. 93, 88th Legislature, Regular Session, 2023, proposes the addition of Section 49-q to Article III, Texas Constitution, to provide for the creation of the Texas energy fund to support the construction, maintenance, modernization, and operation of electric generating facilities. If this amendment is approved by the voters, the legislature has provided initial funding of \$5 billion and enacted enabling legislation to begin providing loans and grants from the fund.

Summary of Comments

The following comments supporting or opposing the proposed amendment reflect positions that were presented in committee proceedings, during house or senate floor debate, or in the analysis of the resolution prepared by the House Research Organization (HRO) when the resolution was considered by the House of Representatives.

Comments by Supporters

- 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.

Comments by Opponents

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

Proposition 8 (H.J.R. 125, 88th Leg., R.S.)

The constitutional amendment creating the broadband infrastructure fund to expand high-speed broadband access and assist in the financing of connectivity projects.

Summary Analysis

H.J.R. 125 proposes the addition of Section 49-d-16, Article III, Texas Constitution, to create the broadband infrastructure fund for the expansion of access to and adoption of broadband and telecommunications services. The proposed amendment takes effect January 1, 2024, and expires on September 1, 2035, unless extended for 10 years by a concurrent resolution approved by a record vote of two-thirds of the members of each house of the legislature. The legislature has appropriated \$1.5 billion to the proposed fund contingent on voter approval of the proposed amendment.

Summary of Comments

The following comments supporting or opposing the proposed amendment reflect positions that were presented in committee proceedings, during house or senate floor debate, or in the analysis of the resolution prepared by the House Research Organization (HRO) when the resolution was considered by the House of Representatives.

Comments by Supporters

- 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.
- 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.

Comments by Opponents

- 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.

Proposition 9 (H.J.R. 2, 88th Leg., R.S.)

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 Analysis

H.J.R. 2, 88th Legislature, Regular Session, 2023, proposes a temporary amendment to the Texas Constitution that authorizes the current 88th Legislature to (1) provide by general law a cost-of-living adjustment to certain annuitants of the Teacher Retirement System of Texas and (2) appropriate state money to pay for the adjustment. The legislature has appropriated \$3.355 billion to fund the cost-of-living adjustment contingent on voter approval of the proposed amendment.

Summary of Comments

The following comments supporting or opposing the proposed amendment reflect positions that were presented in committee proceedings, during house or senate floor debate, or in the analysis of the resolution prepared by the House Research Organization (HRO) when the resolution was considered by the House of Representatives.

Comments by Supporters

- 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.

Comments by Opponents

- No opposition to the proposed constitutional amendment was expressed during legislative consideration of the proposal.

Proposition 10 (S.J.R. 87, 88th Leg., R.S.)

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 Analysis

The constitutional amendment proposed by S.J.R. 87 amends the Texas Constitution to authorize the legislature to exempt from ad valorem taxation the tangible personal property held by a manufacturer of medical or biomedical products as a finished good or used in the manufacturing or processing of medical or biomedical products.

Summary of Comments

The following comments supporting or opposing the proposed amendment reflect positions that were presented in committee proceedings, during house or senate floor debate, or in the analysis of the resolution prepared by the House Research Organization (HRO) when the resolution was considered by the House of Representatives.

Comments by Supporters

- 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.

Comments by Opponents

- No opposition to the proposed constitutional amendment was expressed during legislative consideration of the proposal.

Proposition 11 (S.J.R. 32, 88th Leg., R.S.)

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 Analysis

The constitutional amendment proposed by S.J.R. 32, 88th Legislature, Regular Session, 2023, would amend Section 59(c-1), Article XVI, Texas Constitution, to add El Paso County to the list of counties in Section 59(c-1) in which the legislature may authorize conservation and reclamation districts (special districts such as water control and improvement districts, municipal management districts, and special utility districts) to develop and finance parks and other purely recreational facilities with taxes. The amendment, without limiting any power to finance parks and recreational facilities in El Paso County that currently exists, provides for the issuance of bonds financed by taxes in districts located wholly or partly in El Paso County.

Summary of Comments

The following comments supporting or opposing the proposed amendment reflect positions that were presented in committee proceedings, during house or senate floor debate, or in the analysis of the resolution prepared by the House Research Organization (HRO) when the resolution was considered by the House of Representatives.

Comments by Supporters

- 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.

Comments by Opponents

- 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.

Proposition 12 (H.J.R. 134, 88th Leg., R.S.)

The constitutional amendment providing for the abolition of the office of county treasurer in Galveston County.

Summary Analysis

The constitutional amendment proposing to add Section 44(d), Article XVI, Texas Constitution, if approved by the voters, would abolish the office of county treasurer in Galveston County and authorize the commissioners court of that county to employ or contract with a qualified person, or designate a county officer, to perform any of the functions that would have been performed by the county treasurer if the office had not been abolished. The amendment also provides that the amendment takes effect only if, in addition to approval by voters across the state, a majority of the voters in Galveston County voting on the question also approve the amendment.

Summary of Comments

The following comments supporting or opposing the proposed amendment reflect positions that were presented in committee proceedings, during house or senate floor debate, or in the analysis of the resolution proposing the amendment prepared by the House Research Organization (HRO) when the resolution was considered by the House of Representatives.

Comments by Supporters

- 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.

Comments by Opponents

- 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.

Proposition 13 (H.J.R. 107, 88th Leg., R.S.)

The constitutional amendment to increase the mandatory age of retirement for state justices and judges.

Summary Analysis

The proposed amendment amends Section 1-a(1), Article V, Texas Constitution, to increase the mandatory age of retirement of state justices and judges from 75 to 79 years unless the legislature sets a lower mandatory retirement age. The proposed amendment also increases the lowest age the legislature may prescribe from 70 to 75 years of age.

Summary of Comments

The following comments supporting or opposing the proposed amendment reflect positions that were presented in committee proceedings, during house or senate floor debate, or in the analysis of the resolution proposing the amendment prepared by the House Research Organization (HRO) when the resolution was considered by the House of Representatives.

Comments by Supporters

- 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.

Comments by Opponents

- No opposition to the proposed constitutional amendment was expressed during legislative consideration of the proposal.

Proposition 14 (S.J.R. 74, 88th Leg., R.S.)

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 Analysis

S.J.R. 74, 88th Legislature, Regular Session, 2023, proposes the addition of Section 49-e-1, Article III, Texas Constitution, to provide for the creation of the centennial parks conservation fund to be used for the creation and improvement of state parks.

Summary of Comments

The following comments supporting or opposing the proposed amendment reflect positions that were presented in committee proceedings, during house or senate floor debate, or in the analysis of the resolution proposing the amendment prepared by the House Research Organization (HRO) when the resolution was considered by the House of Representatives.

Comments by Supporters

- 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 Opponents

- No opposition to the proposed constitutional amendment was expressed during legislative consideration of the proposal.