

## **Explanatory Statements for the November 4, 2025 Constitutional Amendment Election**

### **Proposition Number 1 (SJR 59)**

**SJR 59** proposes a constitutional amendment to establish two special funds in the state treasury to provide a dedicated source of funding for capital projects and equipment purchases related to educational programs offered by the Texas State Technical College (TSTC) System. The proposed amendment requires the Texas Comptroller of Public Accounts to manage the funds, including managing any investment activities related to the funds and making the funds available for use by the TSTC System. The proposed amendment authorizes the TSTC System Board of Regents to use amounts distributed by the Comptroller to the available fund to acquire land, construct and equip buildings and other permanent improvements, make major repairs and rehabilitations of buildings or other permanent improvements, acquire capital equipment, acquire library books and materials, make payment of the principal and interest due on any bonds or notes used to finance permanent improvements, or for any other purpose authorized by law. Under the proposed amendment, the TSTC System could not use the appropriated funds to construct, equip, repair, or rehabilitate buildings or other permanent improvements that are to be used for intercollegiate athletics or auxiliary enterprises.

The proposed amendment will appear on the ballot as follows: **“The constitutional amendment providing for the creation of the permanent technical institution infrastructure fund and the available workforce education fund to support the capital needs of educational programs offered by the Texas State Technical College System.”**

### **Proposition Number 2 (SJR 18)**

**SJR 18** proposes a constitutional amendment to prohibit the legislature from imposing a tax on the realized or unrealized capital gains of an individual, family, estate, or trust. This prohibition would include a tax on the sale or transfer of a capital asset that is payable by an individual, family, estate, or trust selling or transferring the asset. The proposed amendment would not prohibit the imposition or change in the rate of an ad valorem tax on property; a sales tax on the sale of goods or services; or a use tax on the storage, use, or other consumption in this state of goods or services.

The proposed amendment will appear on the ballot as follows: **“The constitutional amendment prohibiting the imposition of a tax on the realized or unrealized capital gains of an individual, family, estate, or trust.”**

### **Proposition Number 3 (SJR 5)**

**SJR 5** proposes a constitutional amendment to require the denial of bail pending trial for persons accused of certain criminal offenses. The proposed amendment would apply only to a person accused of committing one or more of the following offenses: murder; capital murder; aggravated assault if the person caused serious bodily injury to another, as defined by law, or the person used a firearm, club, knife, or explosive weapon, as those terms are defined by law, during the commission of the assault; aggravated kidnapping; aggravated robbery; aggravated sexual assault; indecency with a child; trafficking of persons; or continuous trafficking of persons. Under the proposed amendment, a person accused of one or more of these offenses must be denied bail pending trial if the attorney representing the state demonstrates by a preponderance of the

evidence that the granting of bail is insufficient to reasonably prevent the person's willful nonappearance in court; or the attorney representing the state demonstrates by clear and convincing evidence that the granting of bail is insufficient to reasonably ensure the safety of the community, law enforcement, and the victim of the alleged offense. A judge or magistrate who grants bail to a person accused of one or more of these offenses under the proposed amendment must set bail and impose conditions of release necessary only to reasonably prevent the person's willful nonappearance in court and ensure the safety of the community, law enforcement, and the victim of the alleged offense. The judge or magistrate must also prepare a written order that includes findings of fact and a statement explaining the justification for the grant of bail. The proposed amendment specifies that it may not be construed to limit any right a person has under other law to contest a denial of bail or to contest the amount of bail set by a judge or magistrate or to require any testimonial evidence before a judge or magistrate makes a bail decision with respect to a person to whom the amendment applies. A judge or magistrate who determines whether a preponderance of the evidence or clear and convincing evidence exists under the proposed amendment shall consider the likelihood of the person's willful nonappearance in court; the nature and circumstances of the alleged offense; the safety of the community, law enforcement, and the victim of the alleged offense; and the criminal history of the person. A person is entitled to be represented by counsel at a hearing described by the proposed amendment.

The proposed amendment will appear on the ballot as follows: **"The constitutional amendment requiring the denial of bail under certain circumstances to persons accused of certain offenses punishable as a felony."**

#### **Proposition Number 4 (HJR 7)**

**HJR 7** proposes a constitutional amendment to dedicate a portion of the revenue derived from state sales and use taxes to the Texas water fund and to provide for the allocation and use of that revenue. The proposed amendment would authorize the legislature to allocate and transfer funds to accounts administered by the Texas Water Development Board. The proposed amendment also allows the legislature to suspend allocations of funds to these accounts during a state of disaster declared under Chapter 418 of the Texas Government Code.

The proposed amendment will appear on the ballot as follows: **"The constitutional amendment to dedicate a portion of the revenue derived from state sales and use taxes to the Texas water fund and to provide for the allocation and use of that revenue."**

#### **Proposition Number 5 (HJR 99)**

**HJR 99** proposes a constitutional amendment to allow the legislature to exempt animal feed held by the owner for retail sale from ad valorem taxation. The proposed amendment would authorize the legislature to provide additional eligibility requirements for the exemption.

The proposed amendment will appear on the ballot as follows: **"The constitutional amendment authorizing the legislature to exempt from ad valorem taxation tangible personal property consisting of animal feed held by the owner of the property for sale at retail."**

## Proposition Number 6

(HJR 4)

**HJR 4** proposes a constitutional amendment to prohibit the legislature from enacting a law that imposes an occupation tax on a registered securities market operator or a tax on a securities transaction conducted by a registered securities market operator. The proposed amendment would not prohibit the imposition of a general business tax measured by business activity, a tax on the production of minerals, a tax on insurance premiums, a sales and use tax on tangible personal property or services, or a fee based on the cost of processing or creating documents. The proposed amendment would also not prohibit a change in the rate of a tax in existence on January 1, 2026.

The proposed amendment will appear on the ballot as follows: **“The constitutional amendment prohibiting the legislature from enacting a law imposing an occupation tax on certain entities that enter into transactions conveying securities or imposing a tax on certain securities transactions.”**

## Proposition Number 7

(HJR 133)

**HJR 133** proposes a constitutional amendment to allow the legislature to give surviving spouses of United States armed services veterans a property tax exemption on their residence homestead. The proposed amendment would exempt all or part of the property tax on the spouse’s residence homestead if the veteran died from a condition or disease presumed under federal law to be service-related. The exemption would apply only to a surviving spouse who has not remarried since the veteran’s death.

The proposed amendment will appear on the ballot as follows: **“The constitutional amendment authorizing the legislature to provide for an exemption from ad valorem taxation of all or part of the market value of the residence homestead of the surviving spouse of a veteran who died as a result of a condition or disease that is presumed under federal law to have been service-connected.”**

## Proposition Number 8

(HJR 2)

**HJR 2** proposes a constitutional amendment to prohibit the legislature from imposing a state tax on a deceased individual’s estate because of the individual’s death, including an estate, inheritance, or death tax. The proposed amendment would prohibit the legislature from imposing a state tax on the transfer of an estate, inheritance, legacy, succession, or gift from an individual, family, estate, or trust, including generation-skipping transfers, if the tax was not in effect on January 1, 2025. The proposed amendment would also prohibit the legislature from increasing the tax rate or expanding the applicability to new parties of a transfer tax that was in effect on January 1, 2025. The proposed amendment would not prohibit the imposition or change in the rate or applicability of a general business tax measured by business activity; a tax on the production of minerals; a tax on the issuance of title insurance; a tax in existence on January 1, 2016; a tax on the transfer of a motor vehicle by gift; or an ad valorem tax on property.

The proposed amendment will appear on the ballot as follows: **“The constitutional amendment to prohibit the legislature from imposing death taxes applicable to a decedent’s property or the transfer of an estate, inheritance, legacy, succession, or gift.”**

**Proposition Number 9  
(HJR 1)**

**HJR 1** proposes a constitutional amendment to change the amount of tangible personal property held or used for the production of income that the legislature could exempt from property taxes to \$125,000 rather than the minimum amount sufficient to recover the costs of property tax administration.

The proposed amendment will appear on the ballot as follows: **“The constitutional amendment to authorize the legislature to exempt from ad valorem taxation a portion of the market value of tangible personal property a person owns that is held or used for the production of income.”**

**Proposition Number 10  
(SJR 84)**

**SJR 84** proposes a constitutional amendment to allow the legislature to create a temporary property tax exemption for the appraised value of an improvement to a person’s residence homestead that is completely destroyed by a fire. The proposed amendment authorizes the legislature to prescribe the duration of the exemption and to establish additional eligibility requirements for the exemption.

The proposed amendment will appear on the ballot as follows: **“The constitutional amendment to authorize the legislature to provide for a temporary exemption from ad valorem taxation of the appraised value of an improvement to a residence homestead that is completely destroyed by a fire.”**

**Proposition Number 11  
(SJR 85)**

**SJR 85** proposes a constitutional amendment to authorize the legislature to increase the amount of the exemption from property taxation by a school district of the market value of the residence homestead of a person who is 65 years of age or older or a person who is disabled from \$10,000 to \$60,000.

The proposed amendment will appear on the ballot as follows: **“The constitutional amendment authorizing the legislature to increase the amount of the exemption from ad valorem taxation by a school district of the market value of the residence homestead of a person who is elderly or disabled.”**

**Proposition Number 12  
(SJR 27)**

**SJR 27** proposes a constitutional amendment to change the membership and procedures of the State Commission on Judicial Conduct (SCJC). The proposed amendment would: (1) change the membership of the SCJC so that it is composed of six judges appointed by the Texas Supreme Court and seven citizens appointed by the Governor who are at least 35 years old, with both groups of appointees requiring the consent of the Texas Senate to be confirmed; (2) restrict the SCJC’s power to issue a private reprimand (or impose a requirement that the person obtain additional training or education) to a person who has not previously been issued a private reprimand and in response to a complaint that does not allege criminal behavior; (3) require the SCJC to find that a person engaged in willful or persistent conduct that is clearly inconsistent with the proper performance of a judge’s duties, or determine that there is other good cause, before issuing a public admonition or punishment; (4) expand the SCJC’s power to order suspension without pay as punishment; (5) give the chief justice of the Texas Supreme Court the power to

select the appellate-court justices to serve on a tribunal to review the SCJC’s recommendation for the removal or retirement of a person from office, without any requirement that each court of appeals designate one of its members for consideration by the chief justice; and (6) direct the Texas Supreme Court and Governor to appoint SCJC members to initial terms of two, four, and six years starting on January 1, 2026, with the succeeding terms to be six years, so that upon completion of the initial terms, the SCJC will be composed of members serving staggered six-year terms.

The proposed amendment will appear on the ballot as follows: **“The constitutional amendment regarding the membership of the State Commission on Judicial Conduct, the membership of the tribunal to review the commission’s recommendations, and the authority of the commission, the tribunal, and the Texas Supreme Court to more effectively sanction judges and justices for judicial misconduct.”**

### **Proposition Number 13 (SJR 2)**

**SJR 2** proposes a constitutional amendment to increase the mandatory homestead exemption from property taxation for general elementary and secondary public school purposes from \$100,000 to \$140,000 of the market value of the residence.

The proposed amendment will appear on the ballot as follows: **“The constitutional amendment to increase the amount of the exemption of residence homesteads from ad valorem taxation by a school district from \$100,000 to \$140,000.”**

### **Proposition Number 14 (SJR 3)**

**SJR 3** proposes a constitutional amendment to require the legislature to establish a new state agency, the Dementia Prevention and Research Institute of Texas (DPRIT). The proposed amendment would create the Dementia Prevention and Research Fund to be administered by DPRIT. Under the proposed amendment, DPRIT would be responsible for awarding financial grants for research on and the prevention and treatment of dementia, Alzheimer’s disease, Parkinson’s disease, and related disorders. The proposed amendment would also authorize the Texas Comptroller of Public Accounts to transfer \$3 billion from the state general revenue fund to the Dementia Prevention and Research Fund.

The proposed amendment will appear on the ballot as follows: **“The constitutional amendment providing for the establishment of the Dementia Prevention and Research Institute of Texas, establishing the Dementia Prevention and Research Fund to provide money for research on and prevention and treatment of dementia, Alzheimer’s disease, Parkinson’s disease, and related disorders in this state, and transferring to that fund \$3 billion from state general revenue.”**

**Proposition Number 15**  
**(SJR 34)**

**SJR 34** proposes a constitutional amendment to affirm that a parent has the responsibility to nurture and protect the parent's child and the corresponding fundamental right to exercise care, custody, and control of the parent's child, including the right to make decisions concerning the child's upbringing.

The proposed amendment will appear on the ballot as follows: **"The constitutional amendment affirming that parents are the primary decision makers for their children."**

**Proposition Number 16**  
**(SJR 37)**

**SJR 37** proposes a constitutional amendment to provide that only United States citizens are allowed to vote in Texas elections.

The proposed amendment will appear on the ballot as follows: **"The constitutional amendment clarifying that a voter must be a United States citizen."**

**Proposition Number 17**  
**(HJR 34)**

**HJR 34** proposes a constitutional amendment to allow the legislature to exempt from property taxation, in counties that border the United Mexican States, the portion of a real property's assessed value that arose from the installation or construction of border security infrastructure and related improvements. The proposed amendment would authorize the legislature to define "border security infrastructure" and prescribe additional eligibility requirements for the exemption.

The proposed amendment will appear on the ballot as follows: **"The constitutional amendment to authorize the legislature to provide for an exemption from ad valorem taxation of the amount of the market value of real property located in a county that borders the United Mexican States that arises from the installation or construction on the property of border security infrastructure and related improvements."**