



Penny Morales Shaw
STATE REPRESENTATIVE ★ DISTRICT 148

17 Proposed Constitutional Amendments

A Texas constitutional amendment is a formal change or addition to the Texas Constitution, the state’s highest legal document. Because the Texas Constitution limits the powers of government and outlines specific rights and responsibilities, any significant change—such as creating new tax exemptions, altering government structure, or expanding benefits—requires voter approval through a statewide election. Keep in mind that Constitutional Amendments are very permanent laws, many proposals can and are normally legislated every 2 years by the elected legislators. This allows the assurance that tax dollars are sufficient to fund the permanent change and also to ensure that the law fits the current circumstances.

<u>Ballot Language</u>	<u>Plain Language</u>
Proposition 1: "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."	Singles out 1 state college system, the Texas State Technical College System, for permanent tax dollar funding, effectively bypassing legislature approval for all future infrastructure related funding. Concern: Selects one college system over all others to dedicate statewide tax dollars.
Proposition 2: "The constitutional amendment prohibiting the imposition of a tax on the realized or unrealized capital gains of an individual, family, estate, or trust."	Currently, Texas does not tax capital gains. This would lock in that status and permanently ban any state tax on realized or unrealized capital gains for individuals, families, estates, or trusts — meaning that even before a sale, gains wouldn’t be subject to state tax. However, Texans must still pay federal capital gains tax.
Proposition 3: "The constitutional amendment requiring the denial of bail under certain circumstances to persons accused of certain offenses punishable as a felony."	Authorizes judges and magistrates to deny bail to individuals accused of certain serious offenses, including first-degree felony sexual offenses, violent crimes, and continuous trafficking of persons. This effectively overrides the legal maxim of innocent until proven guilty and is intended to prevent pretrial release on bond for certain crimes.
Proposition 4: "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."	Requires the comptroller to deposit up to \$1 billion every year into the Texas Water Fund from sales tax revenues that exceed \$48 billion collected in that year. Concern: Permanently overrides any other potential state priority that may need funding.
Proposition 5: "The constitutional amendment authorizing the legislature to exempt from ad valorem taxation tangible personal property	Seeks to allow the legislature to provide a tax exemption for retail-held animal feed. Concern: Singles out one industry over all others to permanently grant tax exemption status.

<p>consisting of animal feed held by the owner of the property for sale at retail."</p>	
<p>Proposition 6: "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."</p>	<p>In response to the creation of the Texas Stock Exchange, this would prevent the Legislature from imposing taxes on registered securities market operators, including stock brokers, investment agents, and transfer agents.</p> <p>Concern: Permanently removes this sector of the business industry from the state tax rolls.</p>
<p>Proposition 7: "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 of disease that is presumed under federal law to have been service connected."</p>	<p>Expands property tax exemptions for surviving spouses of deceased veterans when the veteran passes away due to conditions in connection to their service recognized under the federal PACT Act. Currently, only the spouses of disabled veterans or those killed in the line duty are eligible to receive exemptions. However, many veterans were never deemed disabled when discharged from service but later developed service-related conditions due to exposure to toxins.</p>
<p>Proposition 8: "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."</p>	<p>Would prohibit the Legislature from imposing taxes on the transfer of assets through inheritance. This measure aims to prevent the future enactment or expansion of such taxes beyond those in effect as of January 1, 2025.</p>
<p>Proposition 9: "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."</p>	<p>Would authorize the legislature by general law to exempt from property taxation \$125,000 of the market value of tangible personal property a person owns that is held or used for the production of income.</p>
<p>Proposition 10: "The constitutional amendment to authorize the legislature to provide for a temporary exemption from ad valorem taxation of the appraised value of an improvement in a residence homestead that is completely destroyed by a fire."</p>	<p>Allows the Legislature to give homeowners a temporary property tax break if their home is completely destroyed by a fire.</p>
<p>Proposition 11: "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."</p>	<p>Would authorize the legislature to increase the amount of the exemption from property taxation by a school district from \$10,000 to \$60,000 from the market value of the home of a person who is elderly or disabled.</p>
<p>Proposition 12: "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."</p>	<p>Would expand the State Commission on Judicial Conduct's membership from 11 to 13, increasing the number of citizen appointees from 5 to 7. It also restructures the appointment process to ensure broader representation across different court types. The appointees are chosen by the Supreme Court of Texas, the Governor, and the State Bar of Texas.</p>

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<p>Proposition 13: "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."</p>	<p>Increases the residence homestead exemption for school district property taxes from \$100,000 to \$140,000. To offset revenue losses, the state would provide compensation to ensure that funding for public education remains unaffected.</p>
<p>Proposition 14: "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."</p>	<p>Makes a one-time \$3 billion from the state's general tax revenue to support research, prevention, and treatment of dementia, Alzheimer's disease, Parkinson's disease, and related disorders. The institute would award grants to Texas-based institutions and organizations for research initiatives, development of therapies, and infrastructure projects.</p>
<p>Proposition 15: "The constitutional amendment affirming that parents are the primary decision makers for their children."</p>	<p>Would add language stating that parents have a fundamental right and responsibility to make decisions about how to raise, care for, and protect their children.</p>
<p>Proposition 16: "The constitutional amendment clarifying that a voter must be a United States citizen."</p>	<p>Clarifies that a voter must be a United States citizen. This measure aims to prevent any future attempts to allow non-citizen voting in local elections (like school board, city council, etc.).</p> <p>Concern: It is already a criminal violation for non-citizens to vote in statewide elections.</p>
<p>Proposition 17: "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."</p>	<p>Would allow property owners in border counties to install security enhancements without facing increased property taxes due to the added value of such improvements like fences, barbed wire, and surveillance systems.</p>

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