

November 3, 2015 Constitutional Amendment Election Explanatory Statements

Proposition 1 (SJR 1)

SJR 1 – Current law provides an exemption of \$15,000 from the ad valorem taxation for public school purposes of a residence homestead. The proposed amendment would increase this exemption to \$25,000, starting in the tax year beginning January 1, 2015. In order to reflect the increased exemption on the homestead of a person 65 years of age or older or a disabled person, the proposed amendment would provide a reduction to the current limitation on the total amount of ad valorem taxes. The proposed amendment would protect school districts from all or part of the revenue loss by authorizing an appropriation of funds according to formulas set by the legislature. In addition, the proposed amendment would authorize the legislature to prohibit a political subdivision from reducing or repealing a homestead exemption adopted by the political subdivision. Finally, the proposed amendment would prohibit the imposition of a tax on the conveyance of real property, but would not prohibit the imposition of a business tax measured by business activity, a tax on the production of minerals, a tax on the issuance of title insurance, or a change in the rate of a tax in existence on January 1, 2016.

The proposed amendment will appear on the ballot as follows: **“The constitutional amendment increasing the amount of the residence homestead exemption from ad valorem taxation for public school purposes from \$15,000 to \$25,000, providing for a reduction of the limitation on the total amount of ad valorem taxes that may be imposed for those purposes on the homestead of an elderly or disabled person to reflect the increased exemption amount, authorizing the legislature to prohibit a political subdivision that has adopted an optional residence homestead exemption from ad valorem taxation from reducing the amount of or repealing the exemption, and prohibiting the enactment of a law that imposes a transfer tax on a transaction that conveys fee simple title to real property.”**

Proposition 2 (HJR 75)

HJR 75 – In 2011, voters approved a constitutional amendment to allow a surviving spouse of a 100 percent or totally disabled veteran an exemption from ad valorem taxation from all or part of the market value on the disabled veteran's residence homestead, as long as the surviving spouse had not remarried. The amendment did not apply to surviving spouses of veterans who died before 2011. This amendment would extend the exemption in such cases. The proposed amendment would apply only to ad valorem taxes imposed for a tax year beginning on or after January 1, 2016.

The proposed amendment would 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 100 percent or totally disabled veteran who died before the law authorizing a residence homestead exemption for such a veteran took effect.”**

Proposition 3 (SJR 52)

SJR 52 proposes a constitutional amendment to repeal the requirement for the Comptroller of Public Accounts, the Commissioner of the General Land Office, the Attorney General, and any other officers elected statewide to reside in Austin, Texas, the state capital. Under current law, these statewide elected officers are required to reside in the capital of the State of Texas while in office. This amendment would not apply to the residency requirement for the Governor.

The proposed amendment will appear on the ballot as follows: **“The constitutional amendment repealing the requirement that state officers elected by voters statewide reside in the state capital.”**

Proposition 4 (HJR 73)

HJR 73 proposes a constitutional amendment that would grant the legislature the authority to pass statutes to allow a professional sports team charitable foundation to conduct charitable raffles under the terms and conditions imposed by general law. The laws passed under this authority may provide that the professional sports team charitable foundation may use proceeds from such charitable raffles to pay reasonable advertising, promotional, and administrative expenses. Any law enacted by this provision only applies to entities defined as professional sports team charitable foundations on January 1, 2016. Additionally, any law enacted by this provision may only allow charitable raffles to be conducted at games hosted at the home venue of the professional sports team associated with a professional sports team charitable foundation.

The proposed amendment would appear on the ballot as follows: **“The constitutional amendment authorizing the legislature to permit professional sports team charitable foundations to conduct charitable raffles.”**

Proposition 5 (SJR 17)

SJR 17 proposes a constitutional amendment which would increase from 5,000 to 7,500 the maximum total population threshold of a county that is allowed to construct and maintain private roads as long as the county imposes a reasonable charge for the work.

The proposed amendment will appear on the ballot as follows: **“The constitutional amendment to authorize counties with a population of 7,500 or less to perform private road construction and maintenance.”**

Proposition 6 (SJR 22)

SJR 22 proposes a constitutional amendment that would add the right to hunt, fish and harvest wildlife, including by use of traditional methods, in the Bill of Rights of the Texas Constitution. This right would be subject to laws and regulations intended to conserve and manage wildlife and to preserve the future of hunting and fishing. The proposed amendment would establish hunting and fishing as the preferred method of managing and controlling wildlife in Texas. The proposed amendment is not intended to affect any law or provision related to trespass, property rights or eminent domain, and would not prevent the legislature from authorizing a municipality to regulate the discharge of a firearm in a populated area in the interest of safety.

The proposed amendment will appear on the ballot as follows: **“The constitutional amendment recognizing the right of the people to hunt, fish, and harvest wildlife subject to laws that promote wildlife conservation.”**

Proposition 7 (SJR 5)

SJR 5 proposes a constitutional amendment to dedicate a portion of revenues from (1) the state sales and use tax, and (2) the tax imposed on the sale, use, or rental of a motor vehicle, to the State Highway Fund (SHF). Under current law, these funds would be deposited to the General Revenue Fund. Money deposited to the SHF is intended to be used only to construct, maintain, or acquire rights-of-way for public roadways other than toll roads; or to repay certain transportation-related debt.

The proposed amendment would appear on the ballot as follows: **“The constitutional amendment dedicating certain sales and use tax revenue and motor vehicle sales, use, and rental tax revenue to the state highway fund to provide funding for nontolled roads and the reduction of certain transportation-related debt.”**