

2011 Voters Guide

Constitutional Amendment Election

This non-partisan, educational voters' guide lists a short summary of the ten proposed Constitutional Amendments while presenting pros and cons to each in order to help you make a more informed vote. Extensive research and preparation went into this guide to provide you with the most dependable, complete information.

For more details on the election and to view this guide electronically, go to www.freevotersguide.com

VOTING DATES	
<u>Oct. 24–Nov. 4</u>	<u>November 8</u>
Early Voting	Election Day

	SUMMARY	SUPPORTERS SAY...	OPPONENTS SAY...
Prop. 1 SJR 14	Allows surviving spouse of disabled veteran to receive property tax exemption on residential homestead	<ul style="list-style-type: none"> Recognizes the sacrifices made by disabled veterans and their surviving spouses. Would provide peace of mind to disabled veterans knowing surviving spouses will not be taxed out of their homes. State already grants certain surviving spouses the right to inherit some property tax breaks. 	<ul style="list-style-type: none"> By allowing the exemption to continue, local governments would receive less property tax revenue. Other taxpayers could be forced to make up loss in tax revenues. The state should not be granting tax exemptions at a time when essential services, such as schools and health care, are under extreme budgetary pressure.
Prop. 2 SJR 4	Gives permanent bonding authority to Texas Water Development Board (TWDB) to issue additional general obligation bonds	<ul style="list-style-type: none"> Without additional authority, the TWDB will be unable to provide financing to meet the states' growing water and wastewater needs. Secures uninterrupted bond or "evergreen" authority to the TWDB, not to exceed \$6 billion at any time, which would make funding more stable and would avoid costly future constitutional amendment elections. State's strong credit rating allows the TWDB to loan funds for major infrastructure projects to local water providers at lower rates. 	<ul style="list-style-type: none"> The jump in bonding capacity from \$2 billion to \$6 billion is too large. Authorizes state debt in perpetuity by allowing continuous issuance of new state-backed bonds that, in effect, could exceed \$6 billion cumulatively. The Legislature and voters should retain their oversight authority by approving new bond issuance authority periodically.
Prop. 3 SJR 50	Gives permanent bonding authority to Texas Higher Education Coordinating Board (THECB) to issue general obligation bonds to finance low-interest students loans	<ul style="list-style-type: none"> Hinson-Hazlewood (HH) College Student Loan program has proven record of success and is self-supporting and not dependent on tax dollars. Secures uninterrupted bond or "evergreen" authority to the THECB, not to exceed total amount authorized by voters, which would make funding more stable and would avoid costly future constitutional amendment elections. With student financial aid reduced for fiscal 2012-2013, Texas students will need more sources of money for college. 	<ul style="list-style-type: none"> National student loan debt presently exceeds national credit card debt, leading some to identify student loans as a potential catalyst for a financial crisis. Authorizing these state-backed bonds would expand state debt and could be a large cost to the state if the economy faltered and there was a high rate of default on the loans. The Legislature and voters should retain their oversight authority by approving new bond issuance authority periodically. Texas voters in 1991 rejected authorizations for new student-loan bonds and should retain that authority.
Prop. 4 HJR 63	Gives authority to counties to participate in certain tax increment financing or reinvestment zones	<ul style="list-style-type: none"> Counties need the same ability as cities and towns to issue bonds to finance development of unproductive, underdeveloped, or blighted areas. Economic development in reinvestment zones may increase property values, but properties in the zone would not be taxed at higher rates. Counties need all resources available to meet the transportation challenges facing the state. 	<ul style="list-style-type: none"> Would expand troubling practice of using property taxes to fund transportation and other redevelopment projects. Could create incentive to appraise property in the reinvestment zone at a higher value to repay bonds, creating a higher tax burden for property owners in the area. Could give counties new incentive for redevelopment takings.

Prop. 5 SJR 26	Allows interlocal contracts by cities and counties without a tax or a sinking fund	<ul style="list-style-type: none"> • Would give local governments the flexibility to consolidate more projects and services, increase efficiency, reduce duplicative efforts, and save costs to taxpayers from unnecessary annual contract renewals. 	<ul style="list-style-type: none"> • In some situations, multi-year interlocal agreements could constitute a debt and should require a tax and sinking fund. Removing constraint gives too much flexibility to local governments.
Prop. 6 HJR 109	Gives greater authority to the School Land Board (SLB) to distribute funds from Permanent School Fund (PSF) to Available School Fund (ASF)	<ul style="list-style-type: none"> • In a time when additional funding for schools is needed, a larger share of the PSF should be distributed to public schools through the ASF. • Necessary to clarify the General Land Office's authority to distribute revenue derived from the PSF's land and property directly to the ASF. 	<ul style="list-style-type: none"> • Unwise to spend funds that otherwise would be invested and would ensure the PSF's continued growth as a permanent revenue stream that helps fund schools and, in turn, helps keep property taxes down. • Would offer a short-term solution to the budget crisis, but would harm public schools and their endowment in the long run.
Prop. 7 SJR 28	Authorizes El Paso County districts to issue bonds supported by property taxes for parks and recreational facilities	<ul style="list-style-type: none"> • Would allow El Paso voters to decide whether to create a regional parks district. • Currently, 10 other counties have been granted this authority. 	<ul style="list-style-type: none"> • Provides an opportunity for an additional authority to tax the residents of El Paso County during already tough economic times. • City and county leaders need more information about the financing, function, and authority of the proposed parks district before the amendment is voted on.
Prop. 8 SJR 16	Provides for taxation of open-space land devoted to water stewardship based on its productive capacity	<ul style="list-style-type: none"> • Creates incentive for landowners to partner with the state to protect water quality and increase conservation efforts. • Gives landowners who already qualified for open-space valuation some flexibility to use their land to help ensure a safe and adequate water supply for the future. 	<ul style="list-style-type: none"> • Several tax breaks already exist for Texas landowners, and providing another one is excessive. • Unnecessary because it duplicates existing options for landowners under wildlife management valuation. • Landowners who qualify for an agriculture valuation already practice water conservation.
Prop. 9 SJR 9	Allows a pardon by the governor after successful deferred adjudication community supervision	<ul style="list-style-type: none"> • Would correct an inequity in Texas law that allows a person convicted of a crime to be eligible for a pardon while a person who successfully completes a term of deferred adjudication is not eligible. • Would provide the means for a person who successfully completed deferred adjudication to receive an expunction of certain related criminal history information. 	<ul style="list-style-type: none"> • State should be cautious about any policy that could result in restrictions on public access to criminal history information. • Amendment is unnecessary as pardons are designed for those who have been convicted of crimes.
Prop. 10 SJR 37	Lengthens period before county or district officials must resign to run for other office from one year to one year and 30 days	<ul style="list-style-type: none"> • Needed to address the new filing deadline imposed by SB 100, which the Legislature enacted to implement the federal MOVE Act. • Without enactment, certain county and district officeholders wishing to seek another office will have to resign from their current post first. 	<ul style="list-style-type: none"> • The resign-to-run provision should be repealed altogether, not merely revised to match up with the new earlier candidate filing deadline. • Candidates should not hold elected district or county positions while running for other offices.

**Special thanks to the House Research Organization and the Texas Legislative Council for background information. For a more detailed analysis of the amendments, please visit <http://www.hro.house.state.tx.us/> and <http://www.tlc.state.tx.us/>.*

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