

Constitutional Propositions

Election Day is November 2, 2021

Proposition 1 (HJR 143) “The constitutional amendment authorizing the professional sports team charitable foundations of organizations sanctioned by the Professional Rodeo Cowboys Association or the Women’s Professional Rodeo Association to conduct charitable raffles at rodeo venues.”

HJR 143 proposes a constitutional amendment expanding the circumstances in which a professional sports team charitable foundation may conduct raffles to raise money for the foundation’s charitable purposes. The proposed amendment would allow professional sports team charitable foundations of organizations sanctioned by the Professional Rodeo Cowboys Association or the Women’s Professional Rodeo Association to hold charitable raffles at rodeo events.

Proposition 2 (HJR 99) “The constitutional amendment authorizing a county to finance the development or redevelopment of transportation or infrastructure in unproductive, underdeveloped, or blighted areas in the county.”

HJR 99 proposes a constitutional amendment allowing the legislature to authorize a county to issue bonds or notes to finance the development or redevelopment of an unproductive, underdeveloped, or blighted area within the county and to pledge for repayment of those bonds or notes increases in property tax revenues imposed on property in the area by the county. The Texas Constitution gives the legislature the power to authorize an incorporated city or town to issue such bonds or notes but does not expressly give the legislature the power to grant that same authority to counties. The proposed amendment also provides that a county that issues bonds or notes for transportation improvements may not pledge for the repayment of those bonds or notes more than 65 percent of the increases in ad valorem tax revenues each year, and a county may not use proceeds from the bonds or notes to finance the construction, operation, maintenance, or acquisition of rights-of-way of a toll road.

Proposition 3 (SJR 27) “The constitutional amendment to prohibit this state or a political subdivision of this state from prohibiting or limiting religious services of religious organizations.”

SJR 27 proposes a constitutional amendment barring the State of Texas or a political subdivision from enacting, adopting, or issuing a statute, order, proclamation, decision, or rule that prohibits or limits religious services. The proposed amendment would apply to religious services, including those conducted in churches, congregations, and places of worship, in the state by a religious organization established to support and serve the propagation of a sincerely held religious belief.

Proposition 4 (SJR 47) “The constitutional amendment changing the eligibility requirements for a justice of the supreme court, a judge of the court of criminal appeals, a justice of a court of appeals, and a district judge.”

SJR 47 proposes a constitutional amendment changing certain eligibility requirements for a justice of the Supreme Court, a judge of the Court of Criminal Appeals, a justice of a court of appeals, and a district judge. The proposed amendment provides that a person is eligible to serve on the Supreme Court if the person, among other qualifications, is licensed to practice law in Texas; is a resident of Texas at the time of election; has been either a practicing lawyer licensed in Texas for at least ten years or a practicing lawyer licensed in Texas and a judge of a state court or county court established by the legislature for a combined total of at least ten years; and during that time has not had the person’s license to practice law revoked, suspended, or subject to a probated suspension. The same eligibility requirements would apply to a judge of the Court of Criminal Appeals and to a justice of a court of appeals. The proposed amendment further provides that to be eligible for appointment or election as a district judge, a person must be a resident of Texas; be licensed to practice law in Texas; and have been a practicing lawyer or a judge of a court in Texas, or both combined, for eight years preceding the person’s election, during which time the person’s license to practice law has not been revoked, suspended, or subject to a probated suspension.

Proposition 5 (HJR 165) “The constitutional amendment providing additional powers to the State Commission on Judicial Conduct with respect to candidates for judicial office.”

HJR 165 proposes a constitutional amendment allowing the State Commission on Judicial Conduct (SCJC) to accept complaints or reports, conduct investigations, and take any other authorized action with respect to a candidate for a state judicial office. Currently, the Texas Constitution only permits the SCJC to take such actions as to persons holding a judicial office.

Proposition 6 (SJR 19) “The constitutional amendment establishing a right for residents of certain facilities to designate an essential caregiver for in-person visitation.”

SJR 19 proposes a constitutional amendment establishing that residents of certain facilities have the right to designate an essential caregiver with whom the facility may not prohibit in-person visitation. The proposed amendment would apply to a nursing facility, assisted living facility, intermediate care facility for individuals with an intellectual disability, residence providing home and community-based services, or state supported living center. The proposed amendment also would authorize the legislature to provide guidelines for these facilities to follow in establishing essential caregiver visitation policies and procedures.

Proposition 7 (HJR 125) “The constitutional amendment to allow the surviving spouse of a person who is disabled to receive a limitation on the school district ad valorem taxes on the spouse’s residence homestead if the spouse is 55 years of age or older at the time of the person’s death.”

HJR 125 proposes a constitutional amendment permitting a person who is 55 years of age or older at the time of death of their spouse who is receiving a limitation on school district property taxes on their residence homestead on the basis of a disability to continue receiving the limitation while the property remains the surviving spouse's residence homestead.

Proposition 8 (SJR 35) “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 member of the armed services of the United States who is killed or fatally injured in the line of duty.”

SJR 35 proposes a constitutional amendment authorizing the legislature to exempt from ad valorem taxation all or part of the market value of the residence homestead of the surviving spouse of a member of the United States armed services who is killed or fatally injured in the line of duty. The Texas Constitution provides a property tax exemption to the surviving spouse of a member of the armed services who is killed in action, but the current exemption does not include members of the military who die during their service due to injuries sustained that are not combat-related.