

November 4, 2025 Texas Constitutional Amendment Ballot Propositions

During the 2025 Regular Session, the Legislature adopted 17 joint resolutions proposing amendments to the Texas Constitution. These proposed amendments will be on the November 4, 2025, ballot.

A brief description of each resolution and the enabling legislation, if applicable, is provided below. The full text of each resolution may be found online at the Legislative Reference Library website:

<https://lrl.texas.gov/legis/ConstAmends/results.cfm?electionDate=Nov%204,%202025>

Additionally, unless otherwise noted, the cost to the state for each proposition, according to the Legislative Budget Board, is \$191,689 for the publication of the resolution. There may be local costs, however, those have not yet been calculated.

Proposition 1 (S.J.R. 59) 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.

The Texas State Technical College System (TSTC) is a system of higher education institutions providing technical training for high demand industries across Texas. Proposition 1 creates a dedicated fund for specified capital improvements to TSTC facilities. Although TSTC benefits from the Higher Education Fund (HEF), that support is limited to 2.2% and is insufficient to support TSTC's growing capital needs. Proposition 1 will establish a dedicated funding stream for TSTC.

If approved, the Legislature has appropriated \$850 million to endow the Permanent Technical Institution Infrastructure Fund to be managed by the Texas Comptroller for the benefit of TSTC. Annual funding (HEF plus new Fund) for the first fiscal year beginning September 1, 2025, will be capped at \$52 million and subsequent years will be capped at \$52 million plus inflation.

NOTE: TCA is a member of **Texans for TSTC** which is a Special Purpose Political Action Committee (SPAC) formed for the purpose of advocating for the passage of Proposition 1.

Proposition 2 (S.J.R. 18) The constitutional amendment prohibiting the imposition of a tax on the realized or unrealized capital gains of an individual, family, estate, or trust.

If approved by the voters, Proposition 2 would prohibit the Legislature from taxing the realized or unrealized capital gains of an individual, family, estate, or trust. The prohibition would apply to a tax on the sale or transfer of a capital asset that is payable by the individual, family, estate, or trust selling or transferring the asset, regardless of who owned the asset.

The state of Texas does NOT currently impose a capital gains tax. Moreover, the Constitution currently prohibits a personal income tax, the likely vehicle for a capital gains tax. Thus, this Proposition would simply enshrine a capital gains tax prohibition in the state's constitution to bind future legislatures.

Proposition 3 (S.J.R. 5) The constitutional amendment requiring the denial of bail under certain circumstances to persons accused of certain offenses punishable as a felony.

Currently, the Texas Constitution grants a right to a defendant charged with an offense, other than a capital offense, to be released on bail except in three circumstances: (1) the defendant has been indicted or convicted of a prior felony; (2) the defendant has been charged with a felony or an offense involving family violence and they are in custody because their bail has been revoked; and (3) the Legislature has passed a law prohibiting bail for a person who violates an order of emergency protection or a family violence protective order (see TEX. PENAL CODE § 25.07).

Proposition 3, if passed, would amend the Constitution to add an additional circumstance under which a defendant may be denied bail. The new provision would allow a judge to deny bail if the person is charged with committing one or more of the following offenses: murder; capital murder; aggravated assault if the person caused serious bodily injury using a firearm, club, knife or explosive weapon; aggravated kidnapping; aggravated robbery; aggravated sexual assault; indecency with a child; trafficking of persons; or continuous trafficking of persons.

Proposition 4 (H.J.R. 7) 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.

The Texas Water Fund was established in 2023 when voters approved an amendment to the Texas Constitution creating the Fund to assist in financing water projects in Texas. The Fund is managed by the Texas Water Development Board and was seeded in 2023 with an initial investment of \$1 billion of General Revenue.

If approved by the voters, Proposition 4 would require the Comptroller to transfer up to \$1 billion of state sales tax revenue every year if annual collections exceed \$46.5 billion. For reference, the state collected \$49.06 billion in sales tax revenue in fiscal year 2025. The amendment would also include parameters allowing the suspension of the transfer in the event of a disaster. The added section of the Constitution would expire in 20 years.

Proposition 5 (H.J.R. 99) 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.

This proposition allows the Legislature to exempt from taxation, personal property consisting of animal feed held by the owner for sale at retail. The Legislature adopted H.B. 1399 during the session to implement this exemption if the proposition passes.

Under current law, animal feed is not taxed at any point except when it is in a store or warehouse as inventory. Proponents argue that the time of year when inventories are appraised for taxation coincides with the time when feed sellers' warehouses are fully stocked for the seasonal needs of the industry, resulting in sellers paying artificially high taxes which are passed on to customers. Additionally, various forms of commercial personal property are already exempted from taxation, including agricultural equipment and products, pollution control equipment, goods held temporarily for manufacturing or export, and marine oil drilling equipment in storage. Opponents assert that almost all other forms of inventory are subject to taxation and this amendment would give an unfair tax benefit to feed sellers.

The impact on state revenue of the proposed exemption is estimated to be insignificant. There could be impact on local school property tax revenue; however, such a reduction would be made up with state dollars through the operation of the school finance formulas.

Proposition 6 (H.J.R. 4) 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.

The Legislature recently passed S.B. 1058 establishing the Texas Stock Exchange. This new Exchange, coupled with efforts to lure other national stock exchanges to the state, were the impetus for Proposition 6.

Currently, Texas does not impose an occupation tax on entities that enter into transactions conveying securities or impose a tax on securities transactions. This amendment, if adopted, would bind future legislatures by enshrining a prohibition on such taxes in the Texas Constitution.

Proposition 7 (H.J.R. 133) 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.

Under current law, disabled veterans and their surviving spouses are exempt from some or all ad valorem taxes on their homestead property. Additionally, surviving spouses of military members killed in the line of duty qualify for total property tax exemption on the homestead. Proposition 7 would expand the current exemptions to include the homestead of a surviving spouse of a veteran who died as a result of a condition that is presumed under federal law to have been service-connected through exposure to toxins like Agent Orange, toxic burn pits, or radiation. Such an exemption would be transferrable to a new homestead in an amount equal to the dollar amount of the exemption received in the prior year. Eligibility for the exemption would terminate if the surviving spouse remarries.

Any impact on state revenue of the proposed exemption is estimated to be insignificant. There could be impact on local school property tax revenue; however, such a reduction would be made up with state dollars through the operation of the school finance formulas.

Proposition 8 (H.J.R. 2) 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.

The Legislature repealed Texas' state inheritance tax in 2015. In an effort to prevent future legislatures from reinstating it, Proposition 8 would amend the Constitution to 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 to another individual, family, estate, or trust. There is an exception for the imposition or change in the rate or applicability of a tax applicable to the transfer of a motor vehicle by gift, or to an ad valorem tax on property.

Proposition 9 (H.J.R. 1) 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.

Currently, the exemption for ad valorem taxes on business personal property is \$2,500 per year. If passed, Proposition 9 would allow the Legislature to increase that exemption to \$125,000 per year. This exemption would apply to each taxing unit where the property owner holds or uses the tangible personal property for the production of income and all property that has taxable situs within a taxing unit is aggregated to determine taxable value.

The local school district tax revenue loss, estimated to be around \$330 million statewide, is partially transferred to the state through public education funding formulas. The estimated impact to state general revenue is approximately \$193 million through the period ending August 31, 2027 and anywhere between \$106 million and \$145 million per year thereafter. Local jurisdictions could adopt higher tax rates to make up for the difference between losses and state supplemental funding.

Proposition 10 (S.J.R. 84) 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.

There is currently no process in place to adjust a property appraisal if there is a major change in value during the appraisal year. Proposition 10 would amend the Constitution to authorize the Legislature to provide for a temporary exemption from property taxation of the value of an improvement to a homestead that is completely destroyed by a fire. The exemption would not apply to the remainder of the homestead, such as the land or any structures that are not destroyed. The enabling legislation for this change requires that the homestead be uninhabitable for at least 30 days after the fire. The exemption would be for the tax year in which the fire occurs and would be prorated to cover the amount of the tax year remaining after the destruction.

There could be an insubstantial impact on local school property tax revenue; however, such a reduction would be made up with state dollars through the operation of the school finance formulas.

Proposition 11 (S.J.R. 85) 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.

Currently, individuals over the age of 65 or disabled are entitled to an additional homestead exemption of \$10,000. Proposition 11, if passed, would increase this exemption to \$60,000.

The enabling legislation for this change allows for the loss in local revenue to be made up by state funds through the school finance formulas. School districts would also be entitled to state aid to make up for losses in available revenue for maintenance and operations expenses. The estimated impact on state general revenue funds for the year ending August 31, 2026, is \$576 million; thereafter, the impacts are expected to range from \$477 million to \$630 million per year.

Proposition 12 (S.J.R. 27) 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.

The State Commission on Judicial Conduct is tasked with reviewing complaints of misconduct against a Texas judge or justice. The Commission may recommend the removal, retirement or suspension of a judge or justice to a tribunal made up of appellate judges who make the final determination. If approved, Proposition 12 will do two things: (1) restructure the membership of the Commission; and (2) adjust the authority of the Commission, the tribunal and the Texas Supreme Court to sanction judges.

Currently, there are 13 members on the Commission which are all appointed with the advice and consent of the Texas Senate: (1) six chosen by the Supreme Court, one justice of a court of appeals, one district judge, one county court at law judge, one judge of a constitutional county court, one municipal court judge, and one a justice of the peace; (2) two chosen by the board of directors of the State Bar of Texas, both of whom must be licensed attorneys with 10 years of experience; and (3) five chosen by the governor who are at least 30 years old, are not attorneys, and who do not hold any salaried public office.

Proposition 12 would change the make up of the Commission to grant the Supreme Court the ability to appoint any six judges with the exceptions that no two may serve on the same type of court and two must be trial court judges. Additionally, the State Bar would no longer appoint any members, instead, the Governor would appoint seven citizens who are at least 35 years old and may be attorneys and/or public officers.

With regard to the Commission's jurisdiction, if the proposition is adopted, after the Commission investigates a complaint, it may issue a private sanction against a judge or justice (current law only allows for public sanctions); or it may recommend the removal or retirement of a judge or justice if it finds the judge engaged in improper conduct (current law requires such a recommendation). The Commission's recommendations are then referred to a tribunal which may recommend the suspension of a judge or justice, without pay, pending final disposition of the complaint.

Proposition 13 (S.J.R. 2) 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.

Currently, individuals are eligible for a homestead exemption from local school property taxes of \$100,000. Proposition 13, if passed, would increase the homestead exemption to \$140,000.

The enabling legislation for this change allows for the loss in local revenue to be made up by state funds through the school finance formulas. School districts would also be entitled to state aid to make up for losses in available revenue for maintenance and operations expenses. The estimated impact on state general revenue funds for the year ending August 31, 2026, is \$1.3 billion; thereafter, the impacts are expected to range from \$1.01 billion to \$1.4 billion per year.

Proposition 14 (S.J.R. 3) 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.

If passed, Proposition 14 will establish the Dementia Prevention and Research Institute of Texas (DPRIT) and the corresponding Dementia Prevention and Research Fund to provide grants and assistance to support research, prevention, and treatment for dementia, Alzheimer's disease, Parkinson's disease and related disorders. Eligible grantees include institutions of learning, advanced medical research facilities, public or private persons, and collaboratives formed to fund research into the causes of, means of prevention of, and treatment and rehabilitation for the covered diseases and disorders.

The governing body of the Institute will be made up of nine members: three appointed by the Governor; three appointed by the Lieutenant Governor; and three appointed by the Speaker of the House. The initial seeding of the Fund will be \$3 billion with an annual appropriation of \$300 million each year.

Proposition 15 (S.J.R. 34) The constitutional amendment affirming that parents are the primary decision makers for their children.

If approved, Proposition 15 will add the following language to the Texas Constitution:

To enshrine truths that are deeply rooted in this nation's history and traditions, the people of Texas hereby 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.

Proponents assert that this amendment is needed to provide explicit constitutional protections to rights recognized by Texas Courts in the event the state's jurisprudence changes. Opponents note that the language expressly excludes any mention of children's rights. Additionally, arguments have been made that the language of the amendment may be interpreted to make the parent's rights contingent upon the parent's fulfillment of their responsibility to nurture and protect the child.

Proposition 16 (S.J.R. 37) The constitutional amendment clarifying that a voter must be a United States citizen.

Section 2, Article VI, Texas Constitution, provides that a Texas resident who is a citizen of the United States and "not otherwise disqualified under Section 1" shall be deemed a qualified voter. Section 1, Article VI, Texas Constitution, lists the reasons for disqualification to vote: (1) persons under 18 years of age; (2) persons determined mentally incompetent by a court; and (3) persons convicted of a felony. Section 1 does not mention citizenship.

Proponents of Proposition 16 assert that the citizenship requirement should be added to Section 1 in order to eliminate any argument that a non-U.S. citizen may vote. Opponents argue that the added language is duplicative and unnecessary as both state and federal laws limit the right to vote to U.S. citizens.

Proposition 17 (H.J.R. 34) 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.

Proposition 17 proposes an exemption from local school property taxes for property in a county that borders Mexico and is used for the installation or construction of border security infrastructure and related improvements. The qualified property would need to be subject to a qualified border security infrastructure agreement or an easement granted to the State of Texas of the United States for border security purposes.

There is no significant fiscal impact to the State anticipated. Any local property tax losses are expected to be countered by increases through the school finance formulas.
