

EMPOWER TEXANS

Recommendations On The Nov. 3 Constitutional Propositions

[Propositions Supported by Empower Texans]

Stopping Eminent Domain Abuse

Proposition 11 - [Supported by Empower Texans]

"The constitutional amendment to prohibit the taking, damaging, or destroying of private property for public use unless the action is for the ownership, use, and enjoyment of the property by the State, a political subdivision of the State, the public at large, or entities granted the power of eminent domain under law or for the elimination of urban blight on a particular parcel of property, but not for certain economic development or enhancement of tax revenue purposes, and to limit the legislature's authority to grant the power of eminent domain to an entity."

Background: The U.S. Supreme Court's *Kelo v New London* decision allowed local governmental entities to take private property for the purpose of economic development, unless the states' constitutions contain a provision to the contrary. This amendment would add restrictions on the use of eminent domain in Texas, and prohibit legislators from weakening the restrictions without voter approval. Further, it would add important protections against eminent domain abuse by specifically stating the legitimate purposes for eminent domain. Finally, governmental entities taking land through eminent domain would be required to use it for a definable public purpose.

Reforming Property Taxes

Proposition 2 - [Supported by Empower Texans]

"The constitutional amendment authorizing the legislature to provide for the ad valorem taxation of a residence homestead solely on the basis of the property's value as a residence homestead."

Background: When appraisal districts determine the value of property for tax purposes, the district can right now base it on what the property would be worth if it were used for a more valuable purpose. Therefore, many homeowners have seen appraisals rise substantially, not because the value of the homes increased, but because the land was deemed more valuable as a different use. Texas already prohibits agricultural land and timber land from being appraised based on other possible uses, but no similar protection exists for homeowners. ([Video link](#))

Proposition 3 - [Supported by Empower Texans]

"The constitutional amendment providing for uniform standards and procedures for the appraisal of property for ad valorem tax purposes."

Background: The state already sets the standards county appraisal districts must follow, but has no power to enforce those standards. This amendment would ensure that properties in different counties

are appraised according to a uniform standard. Additionally, the appraisal districts would be subject to penalty if they violate the standards.

Proposition 5 - [Supported by Empower Texans]

"The constitutional amendment authorizing the legislature to authorize a single board of equalization for two or more adjoining appraisal entities that elect to provide for consolidated equalizations."

Background: Appraisal review boards resolve disputes between taxpayers and appraisal districts. This amendment would allow counties to combine their review boards to save taxpayer money and ensure there are qualified and willing candidates to sit on the review boards.

Good Government

Proposition 7 - [Supported by Empower Texans]

"The constitutional amendment to allow an officer or enlisted member of the Texas State Guard or other state militia or military force to hold other civil offices."

Background: Texas' Constitution prohibits someone from being compensated for holding more than one civil office. The constitution specifically exempts officers in the United States military and those serving in the National Guard. This amendment would simply clarify/add the officers and enlisted members of the Texas State Guard and other state military forces to the military exemption. [Article by Reps. King, Flynn, Guillen, and Pena.](#)

[Propositions Opposed by Empower Texans]

Inappropriate Spending

Proposition 4 - [Opposed by Empower Texans]

"The constitutional amendment establishing the national research university fund to enable emerging research universities in this state to achieve national prominence as major research universities and transferring the balance of the higher education fund to the national research university fund."

Background: [Article by Dr. Ronald Trowbridge.](#)

Proposition 8 - [Opposed by Empower Texans]

"The constitutional amendment authorizing the state to contribute money, property, and other resources for the establishment, maintenance, and operation of veterans hospitals in this state."

Background: Would allow the legislature to spend state taxpayer dollars on what is a federal issue.

New Debt

Proposition 1 - [Opposed by Empower Texans]

"The constitutional amendment authorizing the financing, including through tax increment financing, of the acquisition by municipalities and counties of buffer areas or open spaces adjacent to a military installation for the prevention of encroachment or for the construction of roadways, utilities, or other infrastructure to protect or promote the mission of the military installation."

Background: Would allow local entities to incur debt and raise property taxes in attempts to keep federal installations that may no longer be necessary to the military's mission or performance.

Possible Infringement On Property Rights

Proposition 9 - [Opposed by Empower Texans]

"The constitutional amendment to protect the right of the public, individually and collectively, to access and use the public beaches bordering the seaward shore of the Gulf of Mexico."

Background: By stating that the public has a protected "right" of ingress to, and egress from, beaches, it opens the door to possible abuses to the rights of bordering property owners.

NEUTRAL

Proposition 6

"The constitutional amendment authorizing the Veterans' Land Board to issue general obligation bonds in amounts equal to or less than amounts previously authorized."

Note: Veterans participating in the existing loan program have always made good on their payments, and have thus never left the taxpayers on the hook. However, the taxpayers are ultimately responsible for the bonds issued.

Proposition 10

"The constitutional amendment to provide that elected members of the governing boards of emergency services districts may serve terms not to exceed four years."

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