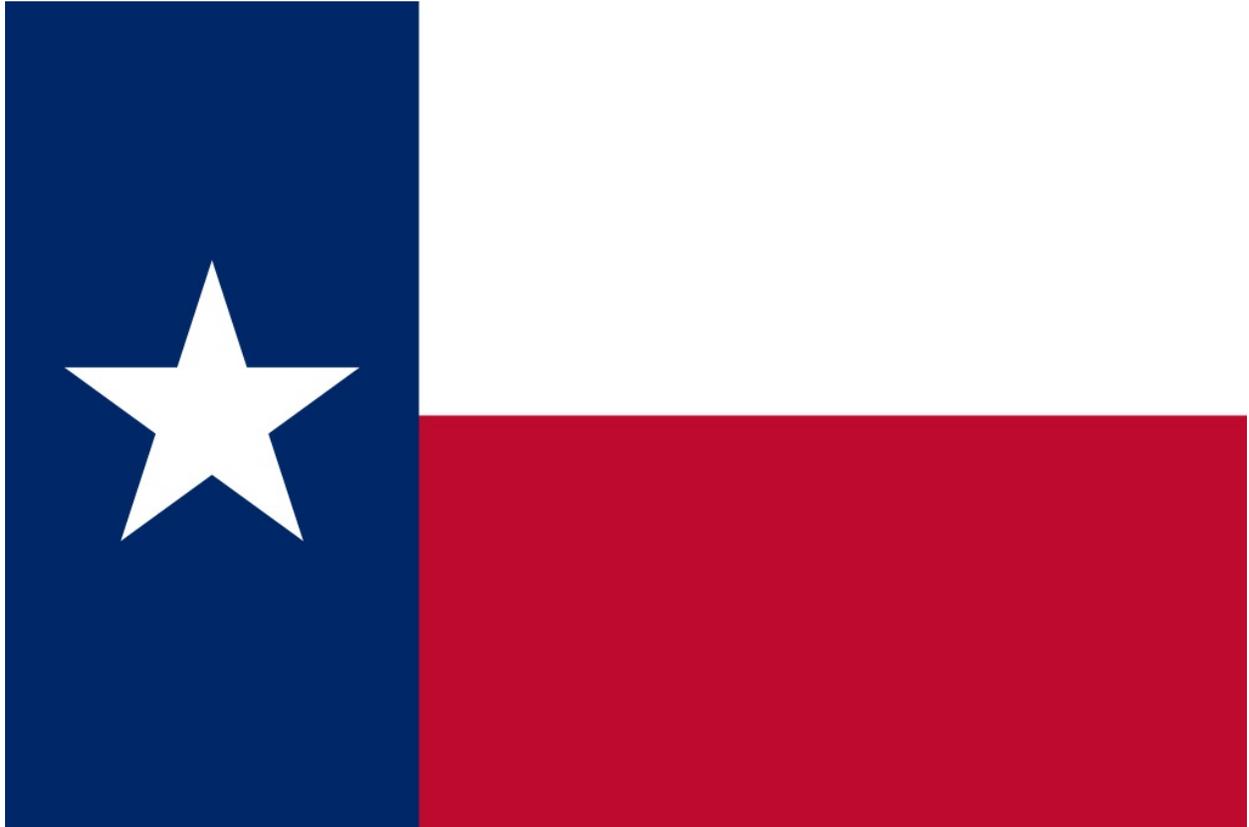


**November 2021  
Voter Guide  
Texas Constitutional Amendment Election**



Presented by TWU 2023.01 Texas Government Students

## **Voter Guide: Texas Constitutional Amendment Election**

Welcome, and thank you for taking time to learn about the ballot issues facing you in the election this November! We have done a lot of research about the proposed Constitutional Amendments, and we encourage you to use this guide to learn more about your options. For each proposed amendment, we have offered an explanation of the issues, as well as information about who might support or oppose the amendment, and why.

This guide may or may not fully reflect the ballot you will see at the voting booth this November, depending on where your residency is located. For this reason, we also provide you with tips and resources for learning about all the possible choices you'll see on your ballot, and advice on how to be a successful voter.

Sincerely,

Dr. Clare Brock, Angelique Sohn, and the students of TWU's 2023.01 Texas Government Class

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### Voting Information

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#### **For Denton County Voters:**

\*\*Last day to register is October 4th, 2021

#### **Early Voting Dates:**

|                              |                        |
|------------------------------|------------------------|
| October 18- October 23, 2021 | 8:00 a.m. - 5:00 p.m   |
| October 24                   | 11:00 a.m. - 4:00 p.m. |
| October 25- 29               | 7:00 a.m. - 7:00 p.m.  |

#### **Denton Voting locations:**

|  |                                     |
|--|-------------------------------------|
| Denton Civic Center                              | 321 E. McKinney St; Meeting Room #1 |
| Denton County Elections Administration           | 701 Kimberly Dr.; Multipurpose Room |
| North Branch Library                             | 3020 N. Locust St.; Meeting Room    |
| Robson Ranch Creative Arts and Technology Center | 9404 Ed Robson Cir.; Front Hallway  |
| University of North Texas - Gateway Center       | 801 North Texas Blvd.; Room 52      |

These locations and others can be found at [https://www.votedenton.gov/wp-content/uploads/2021/09/1121\\_EV\\_Locations.pdf](https://www.votedenton.gov/wp-content/uploads/2021/09/1121_EV_Locations.pdf)

## Additional online resources for election information:

To find additional voting offices, please check out the County Clerk or County Elections Administrator. <https://www.sos.state.tx.us/elections/voter/county.shtml>

Additional Denton Voting Locations can be found using the following links:

<https://www.votedenton.gov/precinct-lookup-by-address/#Search>

You can also access this polling place locator, if you are unsure of where to vote:

<https://www.vote.org/polling-place-locator/>

During early voting you may vote at any designated polling location. On election day you must vote at your designated precinct location, which can be found on your Voter Registration Card or when you look up your sample ballot (see below).

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## Things to Know

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- Bring acceptable photo ID; which includes Drivers License, Passport, U.S. Citizenship Certificate, Military ID, Handgun License, Election ID, and Personal ID card.
- You must be registered in the county you plan to vote in.
- Don't wear any clothing, merch, etc affiliated with any specific political party. You could potentially be turned away for this.
- Do not attempt to block other voters from the ballot box, under any circumstances. This is illegal.
- Don't ask others at the polls who they're voting for, don't share your own vote; this is for safety reasons.
- Don't be rude to other voters that are putting in their polls.
- Make sure to do your research on the candidates you're voting for, and the issues they're addressing!
- Feel free to wear your "Vote!" shirt! :)

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## Ballot Lookup

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Identify the issues you will be voting on!

- If you are in Denton county, you can find local issues using this Simple ballot lookup: <https://www.votedenton.gov/voter-lookup/#VoterEligibilitySearch>
  - You will **need** either a Voter ID number OR;
  - Your First Name, Last Name and DOB (date of birth)

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## Voter Registration

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\*Remember you must be registered to vote 30 days before election day!\*

**Requirements to register:** All steps must be completed 30 days prior to election day.

- (1) Must be 18 or older to by by the election day
- (2) You are a resident of the county where you submitted your application
- (3) You are a United States citizen
- (4) You are not convicted a felon
- (5) Must be mentally capable to vote (finalized decision appointed by court)
- (6) Have valid Voter ID <https://www.votetexas.gov/register-to-vote/need-id.html>
- (7) Cannot register online OR on the same day; must either register in person or fill the form out online and then print and mail it in. Additionally, applications are available in other locations like high schools, the county's voter registrar's office, and libraries.

\*Must have at least one acceptable form of photo identification\*

Link for Denton County Voter Registration: <https://www.votedenton.gov/voter-registration/>

**For all voters:**

- Registration Days:
  - Last day to register: **October 4, 2021**
  - Last day to receive application for ballot by Monday: **October 22, 2021**
  - Last day to receive FPCA: **October 22, 2021**
- Voting Days:
  - First day of early voting: **October 18, 2021**
  - Last day of early voting: **October 29, 2021**
  - Last day to receive ballot by mail: **November 2, 2021**
  - **Election day: November 2, 2021**

## Proposition 1

**Appears on ballot as:** "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."<sup>1</sup>

During the 2021 legislative session, Texas State Legislature passed House Bill 3012 (HB 3012)

**Explanation:** Proposition 1 would amend the Texas Constitution to authorize professional sports team charitable foundations to conduct raffles at rodeo venues. The amendment would include professional rodeo sports teams such as the Professional Rodeo Cowboy Association and the Women's Professional Rodeo Association to be recognized as professional sports teams alongside any professional sports team defined by law, so they would be able to hold raffles.

### **Arguments in favor:**

- Professional Sports charity organizations are allowed to hold raffles, specifically like those associated with the NFL, NBA, NHL etc.
- Raffles can generate profit for charities, to be contributed towards youth scholarships, local recreation centers etc.

### **Arguments Against:**

- Raffles are another form of gambling which has negatively affected some Texas Families.
- This form of gambling could eventually be extended beyond professional sports to many other organizations.

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<sup>1</sup> League of Women Voters Of Hays County. (2021). "Texas Constitutional Amendments on the 2021 Ballot." Retrieved from: <https://my.lwv.org/texas/hays-county/article/texas-constitutional-amendments-2021-ballot>

## Proposition 2

**Appears on ballot as:** “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.”<sup>2</sup>

**Explanation:** Prop 2 would amend the Texas Constitution to authorize counties to issue Bonds to fund development of transportation and physical and organizational structures in rundown areas. The amendment forbids counties that issue bonds from committing more than 65 percent of the increase in real estate and personal property to pay back bonds. It would also ban funds from that bond to be used in any aspect of a toll road.<sup>3</sup>

### Arguments in favor:

- Since the Texas population is increasing, we’re going to need to fund necessities such as transportation and infrastructure.
- Counties need the ability to also fund infrastructure and transportation by using bonds and notes. As of now cities and towns are the only ones who are able to finance their infrastructure and transportation needs.
- Texas population is increasing, over time the need for transportation and infrastructure will be needed by counties that are not as developed as other counties. These bonds will aid those counties in the near future.
- Citizens may expect increased property values, the development and or redevelopment of transportation.

### Arguments Against:

- The proposition could cause a raise in property taxes through debt expansion.
- There is evidence that Texas residents have too much debt per capita, and that bonds for proposition 2 will keep funds for debt services from going where they might be used better to help individuals.
- The projects could cause a redirection of revenue that might need to go toward other government priority projects.
- In order to pay for the redevelopment of infrastructure, this proposition can expand debt for the state therefore raise taxes for the citizens

### Support:

This proposition had strong bipartisan support in both the Texas House and Senate.

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<sup>2</sup>“Texas Proposition 2, Authorize Counties to Issue Infrastructure bonds in blighted areas amendment ” (2021).

[https://ballotpedia.org/Texas\\_Proposition\\_2,\\_Authorize\\_Counties\\_to\\_Issue\\_Infrastructure\\_Bonds\\_in\\_Blighted\\_Areas\\_Amendment\\_\(2021\)](https://ballotpedia.org/Texas_Proposition_2,_Authorize_Counties_to_Issue_Infrastructure_Bonds_in_Blighted_Areas_Amendment_(2021))

<sup>3</sup>“Texas Proposition 2, Authorize Counties to Issue Infrastructure bonds in blighted areas amendment ” (2021).

[https://ballotpedia.org/Texas\\_Proposition\\_2,\\_Authorize\\_Counties\\_to\\_Issue\\_Infrastructure\\_Bonds\\_in\\_Blighted\\_Areas\\_Amendment\\_\(2021\)](https://ballotpedia.org/Texas_Proposition_2,_Authorize_Counties_to_Issue_Infrastructure_Bonds_in_Blighted_Areas_Amendment_(2021))

## Proposition 3

**Appears on ballot as:** “The constitutional amendment to prohibit this state or a political subdivision of this state from prohibiting or limiting religious services of religious organizations.”<sup>4</sup>

### **Explanation:**

Proposition 3 would amend Article 1 of the Texas Constitution to prevent any state and local governments from creating laws or orders to limit religious services. This is being proposed because during the COVID-19 pandemic, Governor Greg Abbott issued an executive order to Texas’s populous cities to convert to online services for religious gatherings, in order to minimize contact with other people to lower the cases of COVID-19. These restrictions were only in effect for twelve days, followed by the governor declaring that religious services were essential, but should be held following federal guidelines.<sup>5</sup>

### **Argument For:**

- Churches provide crucial support during times of needs. By closing churches, this could reduce services available to the public.
- Closing churches may violate religious freedom guaranteed by the Constitution.
- Government should not determine an individual’s right to attend religious services.

### **Argument Against:**

- The proposed amendment could prevent local governments from enforcing safety measures during natural disasters such as tornadoes, hurricanes, or another pandemic.
- Faith does not give a group the right to spread a communicable disease.
- Existing law and the Texas Constitution adequately protect religious organizations.

### **Support:**

This proposition passed the Texas Senate with strong, bipartisan support. In the Texas House, Democrats were less supportive of the proposition, while Republicans unanimously supported.

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<sup>4</sup> League of Women Voters. (2021.) “Texas Constitutional Amendments on the 2021 Ballot.” Retrieved from: <https://my.lwv.org/texas/hays-county/article/texas-constitutional-amendment-election>

<sup>5</sup> Ballotpedia (2021) “Texas Proposition 3, Prohibition on Limiting Religious Services or Organizations” Retrieved from: [https://ballotpedia.org/Texas\\_Proposition\\_3,\\_Prohibition\\_on\\_Limiting\\_Religious\\_Services\\_or\\_Organizations\\_Amendment\\_\(2021\)](https://ballotpedia.org/Texas_Proposition_3,_Prohibition_on_Limiting_Religious_Services_or_Organizations_Amendment_(2021))

## Proposition 4

**Appears on ballot as:** "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."<sup>6</sup>

**Explanation:** The purpose of this amendment would be to change the experience requirements of 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. If approved, the proposition new eligibility will be as follows:

- All candidates must be a citizen of the United States and a resident of Texas
- Requires that candidates for the supreme court, Texas Court of Criminal Appeals, or a court of appeals, have at least 10 years of experience in Texas as a practicing lawyer or judge of a state or county court
- Candidates for district court have at least 8 years of experience in Texas as a practicing lawyer or judge of a state or county court
- Disqualifies any candidate whose license to practice law has been revoked or suspended during the period of experience requirement
- Applies to those elected or appointed beginning after January 1, 2025

In addition to age and citizenship requirements, current law requires that candidates for Texas Supreme Court, Court of Criminal Appeals, or Court of Appeals must have 10 years of experience as a practicing lawyer or judge, and district court candidates must have 4 years of experience as a practicing lawyer or judge in Texas.<sup>7</sup>

### Arguments in favor:

- The Texas judiciary would have better qualified judges due to the increased number of years of legal experience. With the increased years of experience, the quality of the Texans judiciary system could be enhanced with the inclusion of a judge's license having not been revoked or suspended during the required experience.
- The quality and reputation of the Texas judiciary could be enhanced by the requirement that a judge's license cannot have been revoked or suspended.<sup>8</sup>

### Arguments against:

- The requirement for additional years of experience as an attorney could adversely impact the diversity (age, race, gender, etc.) of judicial candidates and judges.
- The amendment could affect the number of candidates who can run for judicial positions, reducing competitiveness for the office.

**Support:** This proposition passed both the Senate and House with strong, bipartisan support.

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<sup>6</sup> Legislative Reference Library of Texas. (2021.) "SJR 47, 87th Regular Session." Retrieved from: <https://lrl.texas.gov/legis/constAmends/results.cfm>

<sup>7</sup> Current Requirements: [https://www.txcourts.gov/media/48745/Judge-Qualifications-6\\_26\\_14.pdf](https://www.txcourts.gov/media/48745/Judge-Qualifications-6_26_14.pdf)

<sup>8</sup> League of Women Voters. (2021.) "Texas Constitutional Amendments on the 2021 Ballot." Retrieved from: <https://my.lwv.org/texas/hays-county/article/texas-constitutional-amendments-2021-ballot>

## Proposition 5

**Appears on ballot as:** "The constitutional amendment providing additional powers to the State Commission on Judicial Conduct with respect to candidates for judicial office."

**Explanation:** Proposition 5 would give more power to the State Commission on Judicial Conduct. The State Commission on Judicial Conduct investigates judicial misconduct. This proposition would allow the commission to take action on a broader range of allegations, including those made against judicial candidates, instead of limiting the commission to investigation of misconduct allegations against judges who are currently in office.<sup>9</sup>

### Argument in favor:

- Judicial candidates may be charged with misconduct (instead of only judges in office) to allow for a more lawful election. Candidates will be held accountable for things they have done and may become ineligible to run due to wrongful actions.<sup>1</sup>
- It's important that we hear all sides of the judicial candidates and judges including the complaints against them. This could help verify that the candidates and judges follow through on their actions. This procedure can have an outcome of better fit candidates and judges in office through a more thorough screening process.<sup>1</sup>
- This amendment would ensure that complaints against judicial candidates would be listened to and action would be taken. This would enhance the screening process for judges and candidates.
- Representative Jacey Jetton states that there is an unfairness in Judicial elections. Due to the difference in power dynamics between the candidate and the incumbent, passing this amendment would allow equal punishment and equal distribution of power.<sup>10</sup>

### Argument Against:

- Opponents argue that the expanded powers are not needed. If there are criticisms against judicial candidates, there are different powers already in place to deal with such issues. Furthermore, too many complaints could add an overwhelming amount of cases for the commission.

### Support:

This proposition received unanimous bipartisan support in both chambers of the Texas legislature.

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<sup>9</sup> "Texas Constitutional Amendments on the 2021 Ballot." *MyLO*, 26 Aug. 2021, [my.lwv.org/texas/hays-county/article/texas-constitutional-amendments-2021-ballot](http://my.lwv.org/texas/hays-county/article/texas-constitutional-amendments-2021-ballot).

<sup>10</sup> "Texas Proposition 5, State Commission on JUDICIAL Conduct Authority over Candidates for Judicial Office AMENDMENT (2021)." *Ballotpedia*, [ballotpedia.org/Texas\\_Proposition\\_5\\_State\\_Commission\\_on\\_Judicial\\_Conduct\\_Authority\\_Over\\_Candidates\\_for\\_Judicial\\_Office\\_Amendment\\_\(2021\)](http://ballotpedia.org/Texas_Proposition_5_State_Commission_on_Judicial_Conduct_Authority_Over_Candidates_for_Judicial_Office_Amendment_(2021)).

## Proposition 6

**Appears on ballot as:** “The constitutional amendment establishing a right for residents of certain facilities to designate an essential caregiver for in-person visitation.”<sup>11</sup>

**Explanation:** Residents of caregiving facilities, such as nursing homes, would be allowed to designate a caregiver who cannot be prohibited from visitation. It would also let facilities make guidelines for visitation of essential caregivers.

### Argument in Favor:

- With this access to visitation, residents of these facilities can receive emotional support and comfort from their loved ones. Throughout these periods of time, individuals often struggle with poor physical health, which may lead to deteriorating mental and emotional health, and decreasing socialization. Visitation from a loved one can help them feel less lonely, depressed, or anxious.<sup>12</sup>
- This can also be important for residents who have memory, cognitive or physical problems who are in need of a caretaker or additional support. Concern over whether these needs are being met could make families uneasy about being denied access to seeing their family members.

### Argument Against:

- Prevents public health and other government officials from restricting outside access to group facilities in order to keep other residents and employees safe.
- Nursing homes serve their residents with preventative care, therapeutic care, and during a global pandemic, any kind of outside visitation could expose vulnerable residents and staff to disease. Visitation rights potentially expose the residents to more people than the other residents, which creates greater risks of exposure to covid.

### Support:

This proposition received strong bipartisan support in both the House and Senate.<sup>13</sup>

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<sup>11</sup> Hays County, League of Women Voters. “Texas Constitutional Amendments on the 2021 Ballot.” *MyLO*, 26 Aug. 2021, <https://lwvtexas.org/Constitutional-Amendment-Election>

<sup>12</sup> Nirmita Panchal, Rabah Kamal, and Feb 2021. “The Implications of Covid-19 for Mental Health and Substance Use.” *KFF*, 20 July 2021, [www.kff.org/coronavirus-covid-19/issue-brief/the-implications-of-covid-19-for-mental-health-and-substance-use/](http://www.kff.org/coronavirus-covid-19/issue-brief/the-implications-of-covid-19-for-mental-health-and-substance-use/).

<sup>13</sup> *Texas 2021 ballot measures*. Ballotpedia. (n.d.). [https://ballotpedia.org/Texas\\_2021\\_ballot\\_measures](https://ballotpedia.org/Texas_2021_ballot_measures).

## Proposition 7

**Appears on ballot as:** “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.”

**Explanation:** Allows surviving spouses to pay lower property taxes after the death of disabled partner over the age of 55. In order to qualify, the spouse must have been at least 55 when the disabled partner died and still lives in the home. This is similar to the already in place ‘widow tax’ in many states, and would be a sort of extension to the timeline of these rules already placed in order to ease finances, regardless of gender.

### Argument in favor:

- Voting “yes” supports amending the state constitution to allow the lowering of payment for property taxes for those whose disabled partners had been at least 55 when they passed. Representative Jake Ellzy (R) said, “The surviving spouse of a disabled homeowner should not be saddled with an unexpected large increase in their tax bill. That only magnifies the tragedy of the loss of their spouse and if they are on a fixed income it even further compounds their difficulties.”<sup>14</sup>
- Also, those in favor of this proposition argue that, “The proposition validates a state law already passed and clarifies that the law is to be enforced”. And it implements a law that has already been passed that just needs to be enforced.

### Argument against:

- This amendment will decrease tax revenues for the school district by lowering taxable property values.
- This amendment will pave the way for other propositions similar in nature which could negatively impact school districts in the future.<sup>15</sup>

### Support:

This proposition received strong bipartisan support in both the House and Senate.

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<sup>14</sup> Antram, Victoria. 2021. “The Texas legislature sends amendment on homestead tax limits for surviving spouses of disabled to November ballot” <https://news.ballotpedia.org/2021/05/20/the-texas-legislature-sends-amendment-on-homestead-tax-limits-for-surviving-spouses-of-disabled-to-november-ballot/>

<sup>15</sup> “Texas Proposition 7, Homestead Tax Limit for Surviving Spouses of Disabled Amendment” [https://ballotpedia.org/Texas\\_Proposition\\_7,\\_Homestead\\_Tax\\_Limit\\_for\\_Surviving\\_Spouses\\_of\\_Disabled\\_Individuals\\_Amendment\\_\(2021\)](https://ballotpedia.org/Texas_Proposition_7,_Homestead_Tax_Limit_for_Surviving_Spouses_of_Disabled_Individuals_Amendment_(2021))

## Proposition 8

**Appears on the ballot:** “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.”<sup>16</sup>

**Explanation:** This proposition would expand the tax exemption on the market value of homes of spouses of service members who were not only killed in action, but also who were killed on duty, as long as they haven't been remarried. Currently the exception only applies to military spouses whose spouses have been “killed in action”<sup>17</sup> This proposition will extend benefits to spouses who were widowed due to training or other military duties.

### Argument in Favor:

- Death due to military training and related duties is equally as impactful on a family as death during combat.
- Many view it as a sign of respect from the government towards the grieving household.
- This exemption provides additional security and financial relief for bereaved families

### Arguments in Opposition:

- This amendment could potentially lower the general property value of a home, which can reduce tax revenues that go towards school districts, counties, cities, and special districts.
- Since more military participants are killed in the line of duty than in action, this could significantly lower the tax revenue. Hypothetically, this can affect the state funding for schools and increase the tax burden for property owners.

### Support:

This proposition received strong bipartisan support in both the House and Senate.

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<sup>16</sup> Legislative Reference Library of Texas 2021 <https://lrl.texas.gov/legis/constAmends/results.cfm>  
League of Women Voters <https://my.lwv.org/texas/hays-county/article/texas-constitutional-amendments-2021-ballot>

Texas Proposition 8, Homestead Tax Exemption for surviving spouses of military fatally injured in the line of duty amendment (2021)  
[https://ballotpedia.org/Texas\\_Proposition\\_8,\\_Homestead\\_Tax\\_Exemption\\_for\\_Surviving\\_Spouses\\_of\\_Military\\_Fatally\\_Injured\\_in\\_the\\_Line\\_of\\_Duty\\_Amendment\\_\(2021\)](https://ballotpedia.org/Texas_Proposition_8,_Homestead_Tax_Exemption_for_Surviving_Spouses_of_Military_Fatally_Injured_in_the_Line_of_Duty_Amendment_(2021))

<sup>17</sup> *Texas Constitutional Amendments on the 2021 Ballot*. (2021, August 27). MyLO.  
<https://my.lwv.org/texas/hays-county/article/texas-constitutional-amendments-2021-ballot>