

▶ 2017 CONSTITUTIONAL BALLOT GUIDE



No matter where you live in Texas, you'll have a chance to vote on seven proposed state constitutional amendments. Not sure what's on the ballot or which way to vote on the propositions — yay or nay? Don't worry, we've got you covered with our simple and informative statewide voter guide.

So get voting, Texas! Don't forget to bring your ID and this voter guide with you, and then show off that "I Voted" sticker to your friends, family, and co-workers.

▶ **EARLY VOTING:**
Oct. 23- Nov. 3

▶ **ELECTION DAY:**
Nov. 7

▶ **STATE PROP 1: YES**

Property tax exemption for partially-disabled veterans who received home as donation.

▶ **STATE PROP 2: NO**

Changes the state's home equity lending framework.

▶ **STATE PROP 3: TOSS-UP**

Limit service of gubernatorial appointees whose term has expired.

▶ **STATE PROP 4: NO**

Notice to attorney general of constitutional challenge to state laws.

▶ **STATE PROP 5: YES**

Expand number of pro sports team able to host charitable raffles.

▶ **STATE PROP 6: YES**

Property tax exemption for surviving spouses of first responders killed in line of duty.

▶ **STATE PROP 7: YES**

Allow financial institutions to promote savings by offering prizes.





STATE PROP 1: YES

Amendment Text: The constitutional amendment authorizing the legislature to provide for an exemption from ad valorem taxation of part of the market value of the residence homestead of a partially disabled veteran or the surviving spouse of a partially disabled veteran if the residence homestead was donated to the disabled veteran by a charitable organization for less than the market value of the residence homestead and harmonizing certain related provisions of the Texas Constitution.

Analysis: Prop 1 would allow partially disabled veterans to claim a property tax exemption if they paid 50% or less of the market value for a house donated to them. Currently a partially disabled veteran who paid part of the cost of a donated home receives no property tax exemption. The measure would also keep the existing tax exemption for partially disabled veterans whose homes were donated in full. Without this exemption, partially disabled veterans are at risk of losing a donated home to unpaid property taxes.

STATE PROP 2: NO

Amendment Text: The constitutional amendment to establish a lower amount for expenses that can be charged to a borrower and removing certain financing expense limitations for a home equity loan, establishing certain authorized lenders to make a home equity loan, changing certain options for the refinancing of home equity loans, changing the threshold for an advance of a home equity line of credit, and allowing home equity loans on agricultural homesteads.

Analysis: Prop 2 makes four significant changes to the state's current home equity loan framework: (1) lowers the cap on fees that can be charged to borrowers from 3% to 2% of the loan principle; (2) allows a home equity loan to be refinanced into a non-home equity loan; (3) allows additional advances on a home equity line of credit even if the unpaid principal exceeds 50% of the homestead's value; and (4) allows a home equity loan for an agricultural homestead.

Ultimately, instead of lowering costs, Prop 2 could raise costs for borrowers by not including the cost of appraisals, property surveys, title insurance, and title examination reports in the cap on fees. Borrowers also stand to lose important consumer protections if they refinance a home equity loan into a non-home equity loan.



STATE PROP 3: TOSS-UP

Amendment Text: The constitutional amendment limiting the service of certain officeholders appointed by the governor and confirmed by the senate after the expiration of the person's term of office.

Analysis: Current law allows all unsalaried officials appointed by the governor to continue to serve in their office after their term has expired until a successor is appointed. Prop 3 limits the amount of time these “holdovers” can serve. If their term expires when the legislature is not in session, they can continue to serve only until the last day of the next regular session. And if a new official has not been appointed by then, the office would become vacant.

Prop 3 addresses concerns that some gubernatorial appointees stay in office well after their terms have expired, preventing other qualified Texans from serving in these positions. However, Prop 3 could also result in important appointed positions remaining open. Both concerns are valid, so we're split on this one.

STATE PROP 4: NO

Amendment Text: The constitutional amendment authorizing the legislature to require a court to provide notice to the attorney general of a challenge to the constitutionality of a state statute and authorizing the legislature to prescribe a waiting period before the court may enter a judgment holding the statute unconstitutional.

Analysis: Prop 4 requires a court to notify the state's attorney general when a petition, motion, or other pleading is filed challenging the constitutionality of a state law. After providing this notice, the court must wait 45 days until it can enter a judgment on the constitutionality of the law.

Not only does Prop 4 raise fundamental separation of power issues, but the mandated waiting period could delay relief for Texans whose constitutional rights have been violated.



STATE PROP 5: YES

Amendment Text: The constitutional amendment on professional sports teams charitable foundations conducting charitable raffles.

Analysis: Current law - as approved by voters in a 2016 constitutional amendment - allows 10 professional sports franchises with pre-existing charitable foundations to host charitable raffles. Prop 5 would expand the number of pro sports teams eligible to hold charitable raffles at home games. By increasing the amount of money going to charitable causes, Prop 5 is a win win.

STATE PROP 6: YES

Amendment Text: 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 first responder who is killed or fatally injured in the line of duty.

Analysis: Prop 6 gives property tax exemptions to surviving spouses of first responders killed in the line of duty so long as the spouse has not remarried. Current law provides this exemption for surviving spouses of veterans killed in the line of duty, Prop 6 asserts spouses of first responders should be entitled to the same.

STATE PROP 7: YES

Amendment Text: The constitutional amendment relating to legislative authority to permit credit unions and other financial institutions to award prizes by lot to promote savings.

Analysis: Prop 7 allows credit unions and other financial institutions to run promotional raffles that award prizes to people who deposit a specified amount into a savings account or program. More than one-third of Texas households have no savings account. By legalizing these savings promotion raffles - which are currently prohibited by law - Prop 7 aims to increase consumer savings.