



# 2009 Election Guide

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**Early Voting - October 19-30, 2009**

**General Election - November 3, 2009**

## **PROPOSITION 1**

TSCRA supports Proposition 1

*“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.”*

This amendment would allow the legislature to change the law to allow a municipality or a county to issue bonds and notes to finance the purchase of buffer areas or open spaces adjacent to military installations. This amendment would decrease the likelihood of counties and municipalities unjustifiably condemning private property for buffer areas or open spaces adjacent to a military installation.

## **PROPOSITION 2**

TSCRA supports Proposition 2

*“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.”*

This amendment to the constitution would allow the legislature to change the law in order to prohibit taxing authorities from taxing residential properties at a higher value than residential use. The amendment is particularly important for homeowners whose neighborhoods are in transition from residential uses to commercial development.

## **PROPOSITION 3**

TSCRA supports Proposition 3

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

A property located in one county is sometimes appraised differently than a similar property located elsewhere in the state. There currently is no legal basis for direct oversight of appraisal districts by the state. Although the Texas Department of Licensing and Regulation and the comptroller of public accounts have related powers and responsibilities, neither can directly require an appraisal district to follow state law or apply a standard appraisal method. This amendment would allow the legislature to change the law to provide a uniform procedure for property appraisal across the state.

## **PROPOSITION 4**

TSCRA supports Proposition 4

*“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.”*

With far more qualified applicants than it can admit to the two current public, nationally recognized, tier-one universities, Texas is losing thousands of its high school graduates to doctorate-granting universities in other states each year. This amendment would allow the legislature to dedicate state revenue to create additional tier-one universities in Texas.

## **PROPOSITION 5**

TSCRA supports Proposition 5

*“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.”*

This amendment would allow the legislature to allow two or more adjoining appraisal districts, if they choose, to consolidate appraisal review board functions. Participation on an appraisal review board requires both the willingness and the expertise to serve. The ability to consolidate appraisal review boards would benefit rural counties that have a relatively small pool of qualified persons and have difficulty finding qualified appraisal review board members. This amendment would allow, but not require, appraisal districts to pursue whatever course on appraisal review board composition best fits local needs.

## **PROPOSITION 11**

TSCRA supports Proposition 11

*“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.”*

This amendment would prohibit governmental entities from condemning private property and then selling it to private developers to increase their tax base. Proposition 11 seeks to address the *Kelo vs. the City of New London* case.