

## SENATE JOINT RESOLUTION

proposing a constitutional amendment prohibiting the imposition of a tax on the realized or unrealized capital gains of an individual, family, estate, or trust.

BE IT RESOLVED BY THE LEGISLATURE OF THE STATE OF TEXAS:

SECTION 1. Article VIII, Texas Constitution, is amended by adding Section 24-b to read as follows:

Sec. 24-b. (a) Subject to Subsection (b) of this section, the legislature may not impose a tax on the realized or unrealized capital gains of an individual, family, estate, or trust, including 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.

(b) This section may not be construed as modifying the applicability or prohibiting the imposition or change in the rate of:

- (1) an ad valorem tax on property;
- (2) a sales tax on the sale of goods or services; or
- (3) a use tax on the storage, use, or other consumption in this state of goods or services.

SECTION 2. This proposed constitutional amendment shall be submitted to the voters at an election to be held November 4, 2025. The ballot shall be printed to permit voting for or against the proposition: "The constitutional amendment prohibiting the imposition of a tax on the realized or unrealized capital gains of an individual, family, estate, or trust."

## SENATE JOINT RESOLUTION

proposing a constitutional amendment requiring the denial of bail under certain circumstances to persons accused of certain offenses punishable as a felony.

BE IT RESOLVED BY THE LEGISLATURE OF THE STATE OF TEXAS:

SECTION 1. Article I, Texas Constitution, is amended by adding Section 11d to read as follows:

Sec. 11d. (a) This section applies only to a person accused of committing one or more of the following offenses:

- (1) murder;
- (2) capital murder;
- (3) aggravated assault if the person:

(A) caused serious bodily injury, as that term is defined by general law, to another; or

(B) used a firearm, club, knife, or explosive weapon, as those terms are defined by general law, during the commission of the assault;

- (4) aggravated kidnapping;
- (5) aggravated robbery;
- (6) aggravated sexual assault;
- (7) indecency with a child;
- (8) trafficking of persons; or
- (9) continuous trafficking of persons.

(b) A person to whom this section applies shall be denied bail pending trial if the attorney representing the state demonstrates:

(1) by a preponderance of the evidence after a hearing that the granting of bail is insufficient to reasonably prevent the person's wilful nonappearance in court; or

(2) by clear and convincing evidence after a hearing that the granting of bail is insufficient to reasonably ensure the safety of the community, law enforcement, and the victim of the alleged offense.

(c) A judge or magistrate who grants a person bail in accordance with this section shall:

(1) set bail and impose conditions of release necessary only to reasonably:

(A) prevent the person's wilful nonappearance in court; and

(B) ensure the safety of the community, law enforcement, and the victim of the alleged offense; and

(2) prepare a written order that includes findings of fact and a statement explaining the judge's or magistrate's justification for the grant and the determinations required by this section.

(d) This section may not be construed to:

(1) limit any right a person has under other law to contest a denial of bail or to contest the amount of bail set by a judge or magistrate; or

(2) require any testimonial evidence before a judge or magistrate makes a bail decision with respect to a person to whom this section applies.

(e) For purposes of determining whether a preponderance of the evidence or clear and convincing evidence, as applicable, exists as described by this section, a judge or magistrate shall consider:

(1) the likelihood of the person's wilful nonappearance in court;

(2) the nature and circumstances of the alleged offense;

(3) the safety of the community, law enforcement, and the victim of the alleged offense; and

(4) the criminal history of the person.

(f) At a hearing described by this section, a person is entitled to be represented by counsel.

SECTION 2. This proposed constitutional amendment shall be submitted to the voters at an election to be held November 4, 2025. The ballot shall be printed to permit voting for or against the proposition: "The constitutional amendment requiring the denial of bail under certain circumstances to persons accused of certain offenses punishable as a felony."

## A JOINT RESOLUTION

proposing a 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.

BE IT RESOLVED BY THE LEGISLATURE OF THE STATE OF TEXAS:

SECTION 1. Section 49-d-16, Article III, Texas Constitution, as proposed by S.J.R. 75, 88th Legislature, Regular Session, 2023, is amended by amending Subsections (c) and (e) and adding Subsections (e-1), (e-2), and (e-3) to read as follows:

(c) The Texas water fund consists of:

(1) money transferred or deposited to the credit of the fund under this constitution or by general law, including money appropriated by the legislature directly to the fund and money from any source transferred or deposited to the credit of the fund authorized by this constitution or by general law;

(2) any other revenue that the legislature by statute dedicates for deposit to the credit of the fund;

(3) investment earnings and interest earned on amounts credited to the fund;

(4) money from gifts, grants, or donations to the fund;  
[and]

(5) money returned from any authorized transfer; and

(6) money in accounts established in the fund under this constitution or by general law.

(e) The legislature by general law or by adoption of a concurrent resolution approved by a record vote of a majority of the members of each house may allocate for transfer to the funds and accounts administered by the Texas Water Development Board or that board's successor the money deposited to the credit of the Texas water fund under Section 7-e, Article VIII, of this constitution. The allocation of money prescribed by a general law or resolution under this subsection may not be changed by the legislature during the first 10 fiscal years for which the money is allocated by the general law or resolution. Any money deposited to the credit of the Texas water fund under Section 7-e, Article VIII, of this constitution that is not allocated by a general law or resolution under this subsection may be transferred to other funds or accounts by the Texas Water Development Board or that board's successor in accordance with Subsection (b) of this section.

(e-1) During a state of disaster declared under Chapter 418, Government Code, or its successor, an allocation made under Subsection (e) of this section may be suspended through the budget execution process under Chapter 317, Government Code, or its successor, or by adoption of a concurrent resolution approved by a record vote of a majority of the members of each house. During a suspension of an allocation under this subsection, the money that would have been allocated but for the suspension is subject to appropriation by the legislature for any purpose. It is the intent of the legislature that any money repurposed under this subsection be restored to the Texas water fund when practicable.

(e-2) Of the amount of money initially appropriated to the Texas water fund, the administrator of the fund shall allocate not less than 25 percent to be used only for transfer to the New Water Supply for Texas Fund.

(e-3) This subsection and Subsections (e), (e-1), and (e-2) of this section expire August 31, 2047.

SECTION 2. Article VIII, Texas Constitution, is amended by adding Section 7-e to read as follows:

Sec. 7-e. (a) Subject to Section 7-d of this article and Subsection (b) of this section, in each state fiscal year, the comptroller of public accounts shall deposit to the credit of the Texas water fund the first \$1 billion of the net revenue derived from the imposition of the state sales and use tax on the sale, storage, use, or other consumption in this state of taxable items under Chapter 151, Tax Code, or its successor, that exceeds the first \$46.5 billion of that revenue coming into the treasury in that state fiscal year.

(b) The duty of the comptroller of public accounts to make a deposit under this section expires August 31, 2047.

(c) Money deposited to the credit of the Texas water fund under Subsection (a) of this section may not be transferred to the New Water Supply for Texas Fund for the purpose of financing the construction of infrastructure to transport groundwater that was produced from a well in this state and that, at the time of production, was not brackish, as that term is defined by general law. This subsection applies to the construction of infrastructure to transport water produced from a well associated with an aquifer storage and recovery project only if the water injected as part of the project was groundwater described by this subsection.

(d) Notwithstanding Section 49-d-16(b), Article III, of this constitution, as proposed by S.J.R. 75, 88th Legislature, Regular Session, 2023, the revenue deposited to the credit of the Texas water fund under Subsection (a) of this section shall be maintained by the administrator of the fund in a separate account in the fund and may not be transferred from the fund by the administrator except as directed by the legislature pursuant to an appropriation made in accordance with Section 6 of this article. The administrator of the fund shall transfer the amount appropriated by the legislature from the account in accordance with the applicable allocations specified by Section 49-d-16, Article III, of this constitution, as proposed by S.J.R. 75, 88th Legislature, Regular Session, 2023.

SECTION 3. The following temporary provision is added to the Texas Constitution:

TEMPORARY PROVISION. (a) This temporary provision applies to the constitutional amendment proposed by the 89th Legislature, Regular Session, 2025, 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.

(b) Section 7-e, Article VIII, of this constitution takes effect September 1, 2027.

(c) This temporary provision expires September 1, 2028.

SECTION 4. This proposed constitutional amendment shall be submitted to the voters at an election to be held November 4, 2025. The ballot shall be printed to permit voting for or against the proposition: "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."

A JOINT RESOLUTION

proposing a 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.

BE IT RESOLVED BY THE LEGISLATURE OF THE STATE OF TEXAS:

SECTION 1. Article VIII, Texas Constitution, is amended by adding Section 1-s to read as follows:

Sec. 1-s. (a) The legislature by general law may exempt from ad valorem taxation tangible personal property consisting of animal feed held by the owner of the property for sale at retail.

(b) The legislature by general law may provide additional eligibility requirements for the exemption authorized by this section.

SECTION 2. This proposed constitutional amendment shall be submitted to the voters at an election to be held November 4, 2025. The ballot shall be printed to permit voting for or against the proposition: "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."