



Texas BOMA Legislative Update
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It's finally October. That means the weather is cooling down and the campaign season is heating up. As expected, October 2013 is full of campaign announcements, officeholder moves, and related news. What is unexpected is the October 2013 shutdown, something few thought was possible just a few weeks ago.

The November 2013 Election

This November, Texans will head to the polls. On the ballot, besides various local races, are a variety of constitutional amendments. While Proposition 6, creating two funds for water infrastructure and appropriating \$2 billion from the Rainy Day Fund to fill them, is generating the most buzz, there are 8 other amendments on the ballot:

- **Proposition 1.** Allows the Legislature to provide a property tax exemption for all or part of the residence homestead of the surviving spouse of a member of the U.S. armed services who is killed in action.
- **Proposition 2.** Eliminates an obsolete requirement for a State Medical Education Board and a State Medical Education Fund. Neither are operational.
- **Proposition 3.** Authorizes a political subdivision to extend the number of days that aircraft parts are exempt from property taxes based on their location in Texas for a temporary period.
- **Proposition 4.** Authorizes the Legislature to provide a property tax exemption for part 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.
- **Proposition 5.** Authorizes the making of a reverse mortgage loan for the purchase of homestead property, and amends lender disclosures and other requirements in connection with a reverse mortgage loan.
- **Proposition 6.** Creates the State Water Implementation Fund for Texas and the State Water Implementation Revenue Fund for Texas to assist in financing of priority projects in the state water plan. This amendment would also appropriate \$2 billion from the Rainy Day Fund to for this purpose.

- **Proposition 7.** Authorizes a home-rule municipality to provide in its charter the procedure to fill a vacancy on its governing body for which the unexpired term is 12 months or less.
- **Proposition 8.** Repeals Article 9, Section 7, of the Constitution, which relates to the creation of a hospital district in Hidalgo County.
- **Proposition 9.** Expands the types of sanctions that may be assessed against a judge or justice following a formal proceeding instituted by the State Commission on Judicial Conduct.

The 2014 Elections

As we have written on multiple occasions, the 2014 statewide elections are shaping up to be contentious. At this time, there will be open seats for Governor, Attorney General, Comptroller, Land Commissioner, Agriculture Commissioner, and Railroad Commissioner. Each of those races has drawn multiple contestants from the Republican side, forcing primary races (and probably many runoffs) to pick the nominee. In addition, Lieutenant Governor David Dewhurst, a three-term incumbent, is facing serious opposition from three others in the Republican primary.

While the Republicans have been in full-on campaign mode for several months, the Democrats have been slower to field a team of candidates. State Senator Wendy Davis (D-Fort Worth), who rose to national fame in June of this year by filibustering for over 11 hours in an attempt to kill a bill that would have placed additional restrictions on abortions in Texas, announced late last week that she will run for Governor as a Democrat. Many Democrats point to Senator Davis's star power and fundraising ability as reason she may be able to win the race in a reliably Republican state. With her announcement, we expect other candidates to announce soon for the other statewide offices on the ballot in 2014.

The Government Shutdown

As you probably know, Congress was unable to reach agreement on continuing to fund the federal government, starting a partial government shutdown on October 1. It is important to point out that while the federal government is on a partial shutdown, Texas government continues to operate. If the shutdown continues, however, there may be some ramifications on Texas government, especially with those agencies that rely, at least partially, on some funding from the federal government.

We will continue to monitor all of these issue and keep you informed.