

## **RESOLUTION ANALYSIS**

C.S.H.J.R. 9  
By: Landgraf  
Agriculture & Livestock  
Committee Report (Substituted)

### **BACKGROUND AND PURPOSE**

The COVID-19 pandemic and Winter Storm Uri forced Texans to retreat into their homes. At the height of the pandemic, grocery store shelves were empty and access to medical care was limited. During the winter storm, many Texans went without lifesaving heat and life-sustaining potable water for days. These recent events have proven that access to the most basic human needs like food and water cannot be guaranteed during times of widespread crisis. The fundamental role of government being the protection of life and property, it is incumbent upon the legislature to ensure Texans are not restricted in their ability to fend for themselves or provide for their families, including by local red tape. C.S.H.J.R. 9 proposes a constitutional amendment to establish that Texans have the right to conduct activities on their homestead property necessary to secure access to food, water, electric power, and shelter.

### **CRIMINAL JUSTICE IMPACT**

It is the committee's opinion that this resolution does not expressly create a criminal offense, increase the punishment for an existing criminal offense or category of offenses, or change the eligibility of a person for community supervision, parole, or mandatory supervision.

### **RULEMAKING AUTHORITY**

It is the committee's opinion that this resolution does not expressly grant any additional rulemaking authority to a state officer, department, agency, or institution.

### **ANALYSIS**

C.S.H.J.R. 9 proposes an amendment to the Texas Constitution to establish the right of an individual in Texas to conduct activities on their homestead property to secure for the residents of that property access to food, water, electric power, and shelter, subject to laws protecting public health and safety and laws for the conservation and development of the natural resources of Texas. The resolution authorizes the legislature to enact laws to protect this right.

### **ELECTION DATE**

The constitutional amendment proposed by this joint resolution will be submitted to the voters at an election to be held November 7, 2023.

### **COMPARISON OF INTRODUCED AND SUBSTITUTE**

While C.S.H.J.R. 9 may differ from the introduced in minor or nonsubstantive ways, the following summarizes the substantial differences between the introduced and committee substitute versions of the resolution.

The substitute includes a clarification absent from the introduced that the right of individuals to conduct activities on their homestead property to secure certain basic human needs is for

securing the needs of the residents of that property. The substitute subjects that right to laws protecting public health and safety and to laws for the conservation and development of the natural resources of Texas, whereas the introduced subjected the right only to laws protecting public health and safety. The substitute revises the ballot language to account for the right being subjected to both types of laws.