

# ANALYSES OF PROPOSED CONSTITUTIONAL AMENDMENTS

88th Texas Legislature November 7, 2023, Election

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Lieutenant Governor Dan Patrick, Joint Chair Speaker Dade Phelan, Joint Chair  
Jeff Archer, Executive Director

## Text of H.J.R. 126

### A JOINT RESOLUTION

proposing a constitutional amendment protecting the right to engage in farming, ranching, timber production, horticulture, and wildlife management.

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

SECTION 1. Article I, Texas Constitution, is amended by adding Section 36 to read as follows:

Sec. 36. (a) The people have the right to engage in generally accepted farm, ranch, timber production, horticulture, or wildlife management practices on real property they own or lease.

(b) This section does not affect the authority of the legislature to authorize by general law the regulation of generally accepted farm, ranch, timber production, horticulture, or wildlife management practices by:

(1) a state agency or political subdivision when there is clear and convincing evidence that the law or regulation is necessary to protect the public health and safety from imminent danger;

(2) a state agency to prevent a danger to animal health or crop production; or

(3) a state agency or political subdivision to preserve or conserve the natural resources of this state under Section 59, Article XVI, of this constitution.

(c) This section does not affect the authority of the legislature to authorize by general law the use or acquisition of property for a public use, including the development of the natural resources of this state under Section 59, Article XVI, of this constitution.

SECTION 2. This proposed constitutional amendment shall be submitted to the voters at an election to be held November 7, 2023. The ballot shall be printed to provide for voting for or against the proposition: "The constitutional amendment protecting the right to engage in farming, ranching, timber production, horticulture, and wildlife management."

House Author: Burns et al. Senate Sponsor: Perry