

Texans to Vote on Right to Farm Constitutional Amendment November 7

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On November 7, 2023, Texas voters will have the opportunity to vote on Proposition 1, which would establish the right to farming, ranching, timber production, and wildlife management into the Texas Constitution.

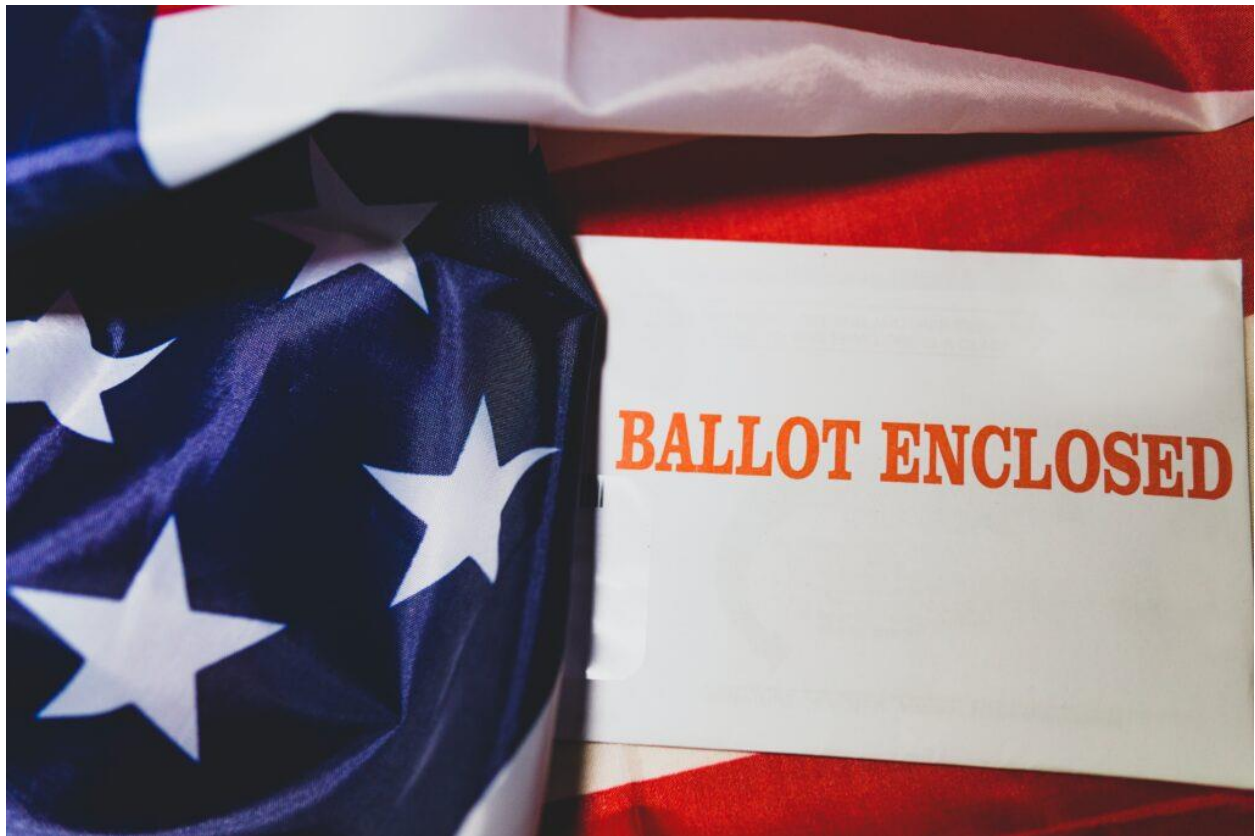


Photo by [Joshua Woroniecki](#) on [Unsplash](#)

Background

During the 88th Legislative Session, Texas lawmakers passed House Joint Resolution 126 (HJR 126). It is the language from this HJR that Texas voters will cast their ballots for or against in November.

HJR 126 reads as follows:

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

Section 36. (a) The people have the right to engage in generally accepted farm, ranch, timber production, 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:

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

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

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, and wildlife management.”

Voting Information

This constitutional amendment will be on the ballot on November 7 as Proposition 1. It will allow voters to choose to vote either FOR or AGAINST “The constitutional amendment protecting the right to engage in farming, ranching, timber production and wildlife management.”

Information on registering to vote or locating your polling place may be accessed [here](#).

Right to Farm Statute

You may recall, the Right to Farm statute we [discussed last week](#) that was passed into law by the Texas Legislature and is found in the Texas Agriculture Code. It is already in effect.

The constitutional amendment is different in that, if passed by voters, it would add the HJR 126 language to the Texas Constitution. This would, in effect, make it difficult for future legislatures to change the right to farm in the state. If voters do not pass the constitutional amendment, the language will not be added to the Constitution.