

LEGISLATIVE BRIEFING PACKET

The Trust Texans Initiative

Restoring the People's Power of Initiative & Referendum

5% / 6% Signature threshold (statutory / constitutional)	60% Voter approval needed for a constitutional measure	Nov. 2, 2027 Proposed election date
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Prepared for members of the 90th Texas Legislature

Submitted by the Trust Texans Initiative

texasstandstogether.org/trust-texans.html

A Letter to Texas Legislators

Dear Representative / Senator,

On behalf of the Trust Texans Initiative, we are pleased to share the enclosed proposed joint resolution and briefing materials outlining a constitutional amendment that would reserve to the people of Texas the powers of initiative and referendum.

Texas is one of only a small number of states that gives its citizens no direct path to propose or repeal legislation at the ballot box. Every other avenue for change currently runs exclusively through this chamber. The Trust Texans Initiative asks the Legislature to consider extending that trust to the voters who put each of you in office — not as a substitute for legislative work, but as an additional check that keeps government responsive when the public and their elected representatives are out of step.

This packet includes a plain-language summary of the proposal, a section-by-section breakdown of the constitutional language, answers to common questions, and the full text of the joint resolution for your review. We welcome the opportunity to brief your office in person and to work with you on any refinements that would strengthen the proposal.

Thank you for your time and consideration.

Respectfully,

The Trust Texans Initiative

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Executive Summary

The proposed joint resolution amends Article III of the Texas Constitution to create, for the first time, a statewide citizen initiative and referendum process. It does three things:

- **Initiative (new Sec. 1A):** Lets registered voters propose statutory or constitutional measures by petition. The Legislature gets first right of refusal to enact the measure; if it declines, the measure goes to voters at the next general election.
- **Referendum (new Sec. 1B):** Lets registered voters petition to put a recently enacted statute up for a repeal vote, within five years of its effective date.
- **Transparency (new Sec. 1C):** Requires anyone spending or receiving more than \$1,000 on petition circulation or ballot advocacy to register with the Texas Ethics Commission and publicly disclose contributions over that amount.

A companion change to Article XVII, Section 1A, clarifies that the constitution may also be amended through this new initiative process, alongside the Legislature's existing amendment authority.

If passed by the Legislature, the amendment itself would go to voters as a ballot proposition on November 2, 2027.

Why proponents are bringing this forward

Supporters frame this as a question of accountability and trust rather than partisanship: Texas is one of the largest states with no citizen-initiated ballot process, meaning that when the Legislature does not act on an issue, voters currently have no direct recourse. The campaign's stated view is that giving citizens a structured, verified path to the ballot — with real signature thresholds, fiscal review, and a supermajority bar for constitutional change — increases civic participation and public trust in government without displacing the Legislature's central role.

This is not a comprehensive statement of every argument for or against the proposal; legislators and staff may wish to review the section-by-section detail below and consult the full bill text in the appendix.

Section-by-Section Summary

Section	What it does
Sec. 1	Legislative power, subject to new limits Existing language vesting legislative power in the Senate and House is made expressly “subject to” the new initiative and referendum sections.
Sec. 1A(a)–(b)	Initiative power created Voters may propose statutory or constitutional measures by petition. The Legislature must enact or reject the measure, without amendment, by the end of the regular session; if it fails to act, the measure goes to a statewide vote.
Sec. 1A(c)	Filing and legal review A \$1,000 refundable filing fee and two petitioner names go to the Secretary of State. Each measure is limited to one subject and is routed to a State Bar–appointed

Section	What it does
	attorney panel for nonbinding review of clarity and legal sufficiency — the panel cannot block or delay circulation.
Sec. 1A(d)	Fiscal note Measures with a potential fiscal impact go to the Legislative Budget Board, which must produce a five-year cost estimate within 30 days.
Sec. 1A(e)–(g)	Petition mechanics The Secretary of State issues approved petition copies within 15 days of legal/fiscal review. Signature gathering has a 365-day window, and petitions cannot be withdrawn after filing.
Sec. 1A(f)	Signature thresholds Statutory measures require signatures equal to 5% of the votes cast for governor in the last general election, in each Senate district and statewide; constitutional measures require 6%, applied the same way.
Sec. 1A(h)–(i)	Approval standards Statutory measures pass with a simple majority and can only be amended or repealed within five years by a two-thirds vote of each chamber. Constitutional measures require 60% voter approval to take effect.
Sec. 1A(j)–(k)	Ballot language & implementation The Secretary of State drafts neutral, non-argumentative ballot language. The section is self-executing but allows the Legislature to pass implementing statutes.
Sec. 1B	Referendum power created Voters may petition to repeal an entire bill (not a portion of one) enacted by the Legislature, using a similar fee, review, and 5%-signature process, filed within 5 years of the bill's effective date and outside the session in which it passed.
Sec. 1C	Disclosure requirements Anyone spending or receiving more than \$1,000 on petition circulation or ballot advocacy must register with the Texas Ethics Commission; contributions above \$1,000 must be publicly disclosed.
Art. XVII, Sec. 1A	Constitutional amendment pathway Confirms the new initiative process is an additional route to amend the constitution, alongside the Legislature's existing Article XVII authority.
Sec. 3	Election date Sends the constitutional amendment itself to voters on November 2, 2027, with prescribed ballot language.

Built-In Safeguards

Several provisions are designed to address the concerns most commonly raised about citizen initiative processes:

- High signature bars: 5% (statutory) and 6% (constitutional) of the last gubernatorial vote, required in every Senate district and statewide — preventing a measure from qualifying on the strength of a few urban centers alone.
- Legislative first right of refusal: Every initiative goes to the Legislature before it can go to voters.
- Supermajority for constitutional change: 60% voter approval, higher than a simple majority.
- Five-year insulation for new statutes: A voter-passed law can only be altered by a two-thirds legislative vote within its first five years.
- Fiscal and legal review: Every measure receives a Legislative Budget Board fiscal note (if applicable) and nonbinding State Bar legal review before it can circulate.
- One-subject rule: Prevents “ballot bundling” of unrelated policies into a single measure.
- Campaign finance transparency: Ethics Commission registration and disclosure for spending or contributions over \$1,000.

Frequently Asked Questions

Does this take power away from the Legislature?

No provision removes existing legislative authority. The Legislature retains first right of refusal on every initiative, and voter-passed statutes can still be amended after five years by ordinary majority vote, or sooner with a two-thirds vote.

How does this compare to other states?

Texas is currently among the minority of states with no statewide citizen initiative or referendum process; most other states that allow it use comparable signature-threshold and legislative-review structures. Members may wish to have staff prepare a fuller 50-state comparison.

What happens to the Trust Texans effort if this bill doesn't pass?

Under current law, Texas voters have no independent path to place a constitutional amendment before the electorate outside the legislative process, so this resolution would need to originate in, and be approved by, the Legislature.

Who is bringing this proposal forward?

The resolution is being advanced by the Trust Texans Initiative. Additional background and campaign materials are available at texasstandstogether.org/trust-texans.html.

Requested Next Steps

- Review the attached joint resolution text (Appendix A) with your policy staff.
- Let us know if your office would like a follow-up briefing or a copy of the fiscal and legal analysis prepared for this proposal.
- Consider co-sponsoring or authoring companion legislation in the House or Senate.

Contact: [campaign contact name] · [phone] · [email] · texasstandstogether.org/trust-texans.html

Appendix A: Full Text of the Joint Resolution

A JOINT RESOLUTION

Proposing a constitutional amendment to reserve to the people the powers of initiative and referendum.

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

SECTION 1.

Article III, Texas Constitution, is amended by amending Section 1 and adding Sections 1A, 1B, and 1C to read as follows:

Sec. 1. Subject to Sections 1A, 1B, and 1C of this article, the [The] Legislative power of this State shall be vested in a Senate and House of Representatives, which together shall be styled “The Legislature of the State of Texas.”

Sec. 1A. (a) The people reserve to themselves the power to propose statutory and constitutional measures by petition for submission to the electorate and to have those measures enacted as provided by this section. This power is known as the initiative.

(b) Any law proposed by initiative petition shall be either enacted or rejected by the legislature without change or amendment by the end of the regular session. If the law so proposed is not enacted by the legislature by the end of the legislative session, the secretary of state shall submit such proposed law to the people for approval or rejection at the next general election.

(c) A proposed statutory or constitutional measure and a filing fee of \$1,000, which shall be refundable upon certification of the proposed measure for circulation, must be submitted to the secretary of state. A proposed measure must be accompanied by the names and other relevant information, as determined by the secretary of state, of two voters who represent the petitioners. A proposed measure may not contain more than one subject. Upon submission, the secretary of state shall transmit the proposed measure to a State Bar appointed advisory panel composed of licensed attorneys with expertise in constitutional, election, or statutory law to assist in technical review and drafting support. The advisory panel shall provide nonbinding recommendations regarding clarity, legal sufficiency, and statutory consistency and shall have no authority to approve, deny, or delay circulation.

(d) If the proposed measure may have a fiscal impact, the secretary of state shall forward the measure to the Legislative Budget Board to prepare a fiscal note not later than the 30th day after receiving the proposed measure. In the fiscal note, the Legislative Budget Board shall outline the fiscal implications and probable cost of the measure each year for the first five years after its effective date and a statement as to whether there will be costs involved thereafter.

(e) After receipt of a proposed measure from the State Bar appointed advisory panel or Legislative Budget Board, the secretary of state shall issue to the petitioner approved copies of an initiative petition proposing the measure in the number requested not later than the 15th day after receiving the proposed measure from the State Bar appointed advisory panel or Legislative Budget Board. The secretary of state may charge for each copy a reasonable fee to cover the cost of reproduction.

The secretary of state shall prescribe standards of form and design for a petition. Each part of a petition must include the full text of the proposed measure.

(f) An initiative petition that proposes a statutory measure must be signed by a number of registered voters equal to at least five percent of the total number of votes received by all candidates for governor in the most recent gubernatorial general election in each Texas Senate district as well as statewide. An initiative petition that proposes a constitutional measure must be signed by a number of registered voters equal to at least six percent of the total number of votes received by all candidates for governor in the most recent gubernatorial general election in each Texas Senate district as well as statewide. A signer may withdraw a signature from a petition before the petition is filed following the procedures provided by general law for the withdrawal of a petition signature.

(g) To be certified as valid, a petition containing the required number of signatures must be filed with the secretary of state not later than the 365th day after the date the approved copies are issued by the secretary of state. The secretary of state shall review the petition to determine whether it is valid. The secretary of state may use any reasonable statistical sampling method as the basis for verification. The secretary of state shall prescribe rules for the withdrawal of a petition, except that a petition may not be withdrawn after the petition is filed with the secretary of state.

(h) All statutory measures must be approved by a majority of those voting on the question. If a statutory measure proposed by petition becomes law, it may be amended or repealed within five years after it takes effect only on the record vote of two-thirds of the members elected to each house.

(i) If the legislature fails to approve a proposed constitutional measure, the secretary of state shall submit the question of approval or disapproval of the measure to the voters at the next general election. If the measure is approved by a 60 percent majority of those voting on the question, the amendment proposed by the measure becomes a part of the constitution.

(j) The secretary of state shall prepare the ballot proposition for a measure proposed by initiative. The proposition must be descriptive but not argumentative or prejudicial. The provisions of this constitution and of law that apply to publication of constitutional amendments proposed under Section 1, Article XVII, of this constitution apply to the publication of measures proposed under this section.

(k) This section is self-executing, but laws may be enacted to facilitate its operation. The Legislature may enact general laws to implement this section consistent with and not restrictive of the powers reserved herein.

Sec. 1B. (a) The people reserve to themselves the power by petition and election to repeal statutes enacted by the legislature as provided by this section. This power is known as the referendum.

(b) The referendum power extends, as provided by this section, to any bill enacted during a regular or special session of the legislature. It extends to each bill in its entirety and not to a part of the bill.

(c) A written request for a petition proposing the repeal of a bill enacted by the legislature must be submitted to the secretary of state in a form prescribed by the secretary of state with a filing fee of \$1,000, which shall be refundable upon certification of the proposed measure for circulation. A referendum petition challenging an Act of the Legislature may not be submitted during the legislative session in which the Act was enacted and must be submitted not later than the fifth anniversary of the Act's effective date.

(d) The secretary of state shall prepare and issue, in the number requested, approved copies of a petition proposing repeal of the bill. The secretary of state may charge for each copy a reasonable fee to cover the cost of reproduction. The petition must include a citation of the bill, citations of any laws amended or repealed by the bill, and a statement, not argumentative or prejudicial, briefly describing the effect of the bill.

(e) To be certified as valid, a referendum petition must be filed with the secretary of state not later than the 180th day after the date of its issuance and must be signed by a number of registered voters equal to at least five percent of the total number of votes received by all candidates for governor in the most recent gubernatorial general election in each Texas Senate district as well as statewide.

(f) The secretary of state shall review the petition to determine whether it is valid. The secretary of state may use any reasonable statistical sampling method as the basis for verification. On determining that the petition complies with this section, the secretary of state shall certify it as valid and shall submit the proposal to the voters on the next general election date.

(g) If a referendum proposal is approved by a majority of those voting on the question, the repeal is effective immediately on official declaration of the result of the election, whether or not the bill repealed took effect before the date of the election.

(h) This section is self-executing, but laws may be enacted to facilitate its operation. The Legislature may enact general laws to implement this section consistent with and not restrictive of the powers reserved herein.

Sec. 1C. Any entity spending or receiving more than \$1,000 related to petition circulation or ballot advocacy shall register with the Texas Ethics Commission. Contributions exceeding \$1,000 shall be publicly disclosed.

SECTION 2.

Article XVII, Texas Constitution, is amended by adding Section 1A to read as follows:

Sec. 1A. In addition to the mode of amendment provided by Section 1 of this article, the constitution may be amended by the initiative procedure authorized by Section 1A, Article III, of this constitution.

SECTION 3.

This proposed constitutional amendment shall be submitted to the voters at an election to be held November 2, 2027. The ballot shall be printed to permit voting for or against the proposition: "The constitutional amendment reserving to the people the powers of initiative and referendum."