

Texas Public POLICY FOUNDATION

LIBERTY ACTION AGENDA

Top 10 Priorities – 89th Texas Legislature

The Liberty Action Agenda is a set of critical reforms that must be made to promote and defend liberty, personal responsibility, and free enterprise in Texas. To ensure the flourishing of Texans during the next quarter-century, we must work now toward these bold policy proposals that embody the Texas ideal.

End Taxpayer-Funded Lobbying: The Texas Legislature should no longer allow local governments to hire unaccountable lobbyists with taxpayer dollars.

Empower Parents and Institute Education Savings Accounts: Every Texas parent must be given the freedom to choose the best education for their child by expanding the range of options open to all children, including education savings accounts, charter school expansion, and career development programs.

Secure the Texas Border: Texas should protect its citizens and communities from the cartels and their drug- and human-smuggling operations by using whatever legal means necessary to gain operational control of and secure the border, including the creation of its own border force. Texas should not wait for the federal government to act; instead, using its constitutional authority to disrupt all cartel activity – including its coordination with the Mexican government and elites – and assert state sovereignty.

Eliminate ISD M&O Property Taxes and Rein in Local Spending: By continuing to buy down our school district maintenance and operating property tax rates, policymakers can put Texas on a pathway to eliminate property taxes. Policymakers should extend the same responsible spending policies required of the state to cities and counties.

Protect the Public and Solve Crimes: Texas must prioritize solving violent crimes to get dangerous offenders off the street and keep our communities safe.

Make the Energy Grid More Reliable: Texas should require all electric generators, not just new ones, to guarantee a certain amount of power to the grid during periods of high demand.

Make Affordable Healthcare More Accessible to Patients: Texas should ensure that nonprofit hospitals follow existing rules requiring them to use the tax savings they receive from the state to lower healthcare costs for certain patients.

Restore the Proper Mission of Higher Education: Texas should ensure that public higher education institutions foster diversity of thought, encourage innovation, resist ideological conformity, and return to their proper role of widening the sphere of knowledge for students. Taxpayers should not fund programs that divide, exclude, and indoctrinate students, nor should the accreditation organizations be able to extort schools into promoting one ideological agenda.

Pass a Conservative Texas Budget: The Texas budget should not grow beyond the average taxpayers' ability to pay. Texas should use traditional metrics like inflation and population growth to determine a responsible spending limit.

Promote Responsible Artificial Intelligence Reform: Texas should adopt sector-specific AI regulatory frameworks that promote transparency and maximize human dignity, ensuring Texas is the national model for balancing ethics and growth.

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TAXPAYER PROTECTION PROJECT



Liberty Action Agenda - 89th Texas Legislature

The Taxpayer Protection Project focuses on tax, spending, and local government policies that reduce the government burden on Texans. In past sessions, it has successfully advocated for the largest property tax cut in state history, restoring individual liberty to help families and businesses thrive, and eliminating unnecessary and burdensome regulations.

Limit Local Spending: Despite state government finances being subject to multiple constitutional and statutory spending limits, no such similar requirements exist for Texas local governments. At a minimum, policymakers should extend those same fiscal constraints to cities and counties. In addition, the State of Texas should require all cities and counties to undergo third-party efficiency audits periodically to look for waste, fraud, and abuse in their budgets and operations.

Eliminate State Business Margins and Franchise Tax: Businesses in Texas continue to pay taxes on gross revenue, meaning that some businesses could theoretically not earn a profit yet still owe the State of Texas money. Texas should repeal this tax to increase businesses' disposable income for capital projects, inventory, and employees. The subsequent increased business activity would allow businesses to prosper further in Texas.

Reform the Public Information Act: Government officials have abused the Texas Public Information Act, including wrongly withholding information, delaying disclosure, charging exorbitant fees, restricting access, and preventing documentation. Texas should put power back in the hands of the public by reforming the Texas Public Information Act.

Ban Supervised Drug Consumption Sites: Supervised drug consumption sites have no mandates for real treatment, and their claims of success are based on dubious self-reporting. Before these groups can set up similar sites in Texas, policymakers should move to ensure that it is a criminal offense to operate these types of drug consumption sites.

Audit Homelessness Programs and Services: Homelessness is a complex issue that requires more than a one-size-fits-all approach and unlimited funding. To ensure the effectiveness of state and local programs as well as community services that receive public funding, policymakers should evaluate the efficacy of these efforts based on performance measures and audited data.

Ease the Government-Induced Affordability Crisis: Texas must minimize local government intrusion into the housing market and incentivize free-market reforms to help supply meet demand. Policymakers should help Texans get closer to realizing the American Dream by reducing municipal regulatory authority in the housing market, enacting reasonable limitations on taxing authority, and putting forward a positive vision of market-based solutions.

Ban Ranked-Choice Voting: Ranked-choice voting is not only needlessly complicated, but it can disenfranchise voters, drive down turnout, and lead to ballot manipulation. It is antithetical to the idea of the one-person-one-vote principle at the heart of our republican form of government. Texas should join other states by explicitly banning political subdivisions from implementing ranked-choice voting.

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TAXPAYER PROTECTION PROJECT



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Maximize Public Participation in Bond Elections: Texas should increase the threshold needed to approve a bond proposition and require these propositions to be held during general election cycles to encourage greater participation. The threshold to approve a bond should be 60% or more.

Call a Convention of States: Texas passed a resolution calling for a Convention of States in 2017 that is currently set to expire in 2025. A renewed resolution that covers spending limits and federal mandates should be passed to allow for greater emphasis on the rights of individual states.

Preempt Progressive Policy: Texas should build upon the Texas Regulatory Consistency Act to further curtail big government activity in cities and counties grossly inconsistent with Texas' vision of conservative governance.

Establish Texas Capital District: Policymakers should revoke the city of Austin's home-rule charter and establish the Texas Capital District (TCD) governed by the State. It would signify Texas sovereignty, allow all Texans a direct hand in governing their capital city, and provide policymakers a city-level laboratory for innovative, free-market policymaking.

Require Reporting by Special Purpose Districts: Special purpose districts are largely unaccountable bodies, and the Comptroller lacks sufficient authority to ensure compliance with existing transparency measures. The Government Code should be amended to require an annual base level of reporting from all special purpose districts to the Comptroller. Those determined to meet the threshold for additional reporting will still be required to submit that information as well.

Require Statewide Efficiency Audits: Efficiency audits are a tool to systematically examine the management of an organization, corporation, or agency to determine how well said entity is achieving its stated goals and requirements. Unlike a financial audit, which asks if the money is properly accounted for, efficiency audits dig into the day-to-day operations to determine whether there are better ways to spend said money or other resources. These audits should be conducted regularly for each state government agency to ensure tax dollars are being wisely used.

Sunset Local Ordinances: Local governments adopt many rules and regulations via ordinance authority granted by state law and the constitution. However, unlike state agencies, local jurisdictions are not required to periodically review their ordinances. As a result, local ordinances remain effective in perpetuity with no opportunity for area residents to comment on the law's necessity or adverse impact. A required sunset style review would force cities to justify and readopt ordinances and allow residents an opportunity to comment and urge repeal or amendment of problematic regulations. Regular reviews would also force updated analyses of the impact of existing rules on those directly affected and on the general public. These include analyses of the economic impact, employment impact, and cost-benefit of the proposed rules.

Require a Uniform Election Date for Debt and Taxes: In Texas, local governments may not issue a bond, debt, or tax increases without holding an election with voters of that jurisdiction. When said elections are held, they are typically in May on odd years, which makes for a very low turnout at the polls. These types of bonds are of great importance and should rightfully be held when the greatest number of voters in that jurisdiction engage in our civic process. It is time Texas placed these measures on the ballot when the largest percentage of the citizenry is engaged in the process. Texas should require these elections be held during the November uniform election date.



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The Secure & Sovereign Texas campaign focuses on protecting Texas communities, ensuring Texas has the resources for a strong southern border, and defending state sovereignty and authority.

Create a Border Force: The federal government's lax policies on immigration and Mexican cartels have created a border crisis without precedent in American history and have left Texas no option but to step in to secure its border and protect Texas communities. Texas should create a new law enforcement unit dedicated to fighting the threats coming from the border, with a command structure that can plan, coordinate, and execute border security and counterterrorism operations in Texas.

Support the Texas Military Department: Ensure the Texas Military Department has the necessary resources to face the threats coming from our southwest border and respond to natural disasters. Texas should support reforms that would enable the Texas Military Department to better fulfill its mission of protecting Texas security and sovereignty.

Require Law Enforcement to Determine and Communicate Immigration Status: Currently, law enforcement in Texas does not have to inquire about the legal status of someone they stop, detain, or arrest, even if they suspect the person is in the country illegally. Requiring law enforcement to do so would empower them to help the federal government fulfill its responsibility and potentially catch dangerous illegal aliens who have entered the country undetected.

Implement E-Verify in Texas: E-Verify is the federal electronic verification system that verifies a worker's eligibility to work in the United States. The Texas Legislature has passed laws requiring state employees, state contractors and subcontractors, and new employees of sexually oriented businesses to use E-Verify. Texas should enact legislation requiring all political subdivisions in the state, including counties, municipalities, and government-funded educational institutions, to use the system.

Create Texas Engel List for Foreign Corruption: Mexico is among the five most corrupt countries in the world – and many other countries have similar issues – yet a federal list that tracks and sanctions corrupt foreign actors only targets four Latin American countries, which do not include Mexico. Texas should create a similar list at the state level, which will send a strong message to foreign corrupt actors that Texas will not tolerate corruption in Texas, and that, within constitutional bounds, we will sanction such actors.

Resource Local Court for Migrant Processing: Some local courts are likely to face an increased number of cases when the 88th Texas Legislature's Senate Bill 4, which creates a new state offense for entering or reentering the state from a foreign nation illegally, becomes effective. Texas should ensure local courts have the resources to quickly prosecute additional cases they will face due to the crisis.

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NEXT GENERATION TEXAS



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The Next Generation Texas campaign focuses on reforming K-12 and higher education, empowering parents with more and better options, and developing the next generation workforce to keep Texas the world leader in job creation. NGT has worked on several successful reforms such as improving curriculum transparency and quality, expanding charter schools, eliminating DEI programs at public universities, and creating workforce development programs for students.

Expand Charter Schools: Charter schools provide additional options for parents looking for specific education needs for their children. Texas should remove the roadblocks that limit or prevent charter school expansion.

Advance Comprehensive School Safety: Texas should continue to explore and consider a variety of options to keep children safe from threats inside and outside of the school building.

Ensure Transparency in Texas School Finance: Texas should make the school finance system more transparent and ensure taxpayers, parents, and legislators know exactly how money is spent.

Restore Accreditation Freedom: Texas can restore the proper mission of higher education, encourage institutional innovation, and resist ideological conformity by giving colleges and universities more flexibility in choosing an accreditor.

Enforce the Elimination of DEI in Texas Higher Education: The ideological infrastructure of “Diversity, Equity, and Inclusion” programs is so deeply embedded in Texas academic institutions that it will require a comprehensive and sustained effort to root it out. Key to that effort is ensuring students and faculty on every campus can report failures of universities to comply with the 88th Texas Legislature’s Senate Bill 17, which bans DEI programs and offices in Texas’ state institutions of higher learning.

Increase Higher Education Transparency and Accountability: Texas should increase transparency and accountability in higher education to allow students and parents to make more informed decisions regarding the quality of the education they are paying for and provide policymakers with more information to assess the value of taxpayer subsidies to these institutions. The resulting competitive pressure will push colleges to improve quality and lower costs, benefiting students and taxpayers.

Expand Apprenticeship Alternatives: Texas should expand alternatives to the Registered Apprenticeship Programs that empower employers to develop the highest quality program that fits their business model rather than imposing stringent reporting requirements that stifle competition and innovation.

Reduce Texas Upper-Level Non-Academic Administrators: Texas should require its public colleges and institutions to significantly reduce the number of non-academic administrators employed by the institution to lower costs, refocus on academics, and improve the learning environment for students.

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NEXT GENERATION TEXAS



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Improve University Governance: Texas should bolster and reinforce the authority of the Boards of Regents at public universities, which are legally responsible for governing the institution, and provide the tools to ensure faculty and administrative leadership cannot usurp this power.

Ensure Equal Opportunity in State Employment: Texas frequently requires postsecondary degrees and credentials for state jobs that may not need these credentials to fulfill the job functions. Texas should end this policy that exacerbates the problem of credential inflation while excluding qualified Texas from gainful employment.

Reform General Education Requirements: The current core curriculum requirements for public universities and colleges is a hodgepodge of specialty-driven subject matter. Texas should implement a common civic education that comprises the best that has been thought and said in western civilization and other cultures.

Streamlining Workforce Training and Safety Net Programs: Texas should approve recommendations that serve as the basis for legislation to remove barriers for unemployed and underemployed Texans.

Texas Public POLICY FOUNDATION

CENTER ON HEALTH AND FAMILIES



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The Center on Health and Families campaign focuses on improving systems and outcomes that affect patients, families, and children.

Improve Healthcare Price Transparency: Texas should strengthen prior-to-service price transparency, extend this transparency requirement to other care settings, and incentivize employers and patients to shop for healthcare services and health coverage.

Reform Grounds for Termination of Parental Rights: Termination of Parental Rights (TPR) is one of the harshest actions the state may take against a citizen. Texas should examine current grounds for termination of parental rights and enact legislation ensuring that the grounds are narrowly tailored and targeted to only those situations where termination is clearly necessary and appropriate.

Define Best Interest of the Child: Texas law lacks a clear definition of the “best interest of the child” standard, leading to ambiguity and inconsistency in its application and outcomes. The Texas Legislature should address this problem by providing a clear, overarching definition of “best interest of the child” for courts to apply.

Promote Marriage and Family Formation: Recognizing that strong, healthy families are the foundation of a strong, healthy Texas, the Texas Legislature should enact policies to promote marriage, ease the financial burden on families raising children, and strengthen the nuclear family. These policies should include a special focus on educating young Texans on the value of marriage and family formation.

Protect Patient Health Data Privacy: Establishing patient data ownership, accessibility, and portability for health data will support work begun in the 88th Texas Legislature with the Texas digital bill of rights. Texas should include data ownership that entitles a patient to an understandable and timely copy of their health records, as well as amending enforcement mechanisms by establishing information blocking as a violation enforced by Health and Human Services.

Reduce Barriers to Physician Licensing: To increase the number of licensed physicians serving Texans, the Texas Legislature should create an interstate telehealth registrant licensing pathway, create an alternative licensing pathway for American medical graduates who were not placed into a residency program, and allow international physicians to omit repeating an American residency so long as they have an offer of employment from a hospital.

Establish an Adoption Assistance Program: The Texas Legislature should establish an adoption assistance program utilizing a combination of private and public funds to assist families with adoption-related expenses.

Apply Active Efforts at Family Reunification: Recognizing the well-documented trauma caused to children by removing them from their families, Texas should amend the Family Code to require the Department of Family and Protective Services to apply the “active efforts” standard, as opposed to “reasonable efforts,” to every child who is the subject of an investigation or removal. By doing so, Texas can improve the quality of services intended to preserve and reunite families, reduce the number of children entering foster care, and minimize the time children spend in foster care.

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CENTER ON HEALTH AND FAMILIES



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Implement Child Welfare Licensing and Regulatory Reform: To reduce regulatory burdens straining the state's capacity to safely and effectively care for children in foster care, Texas should consider and enact the most promising reforms recommended by the forthcoming third-party assessment of how Texas licenses and regulates child welfare service providers, foster homes, and adoptive families.

Implement and Expand Community-Based Care: Since 2017, Texas has been working to transform its foster care system by transferring primary responsibility for caring for children in the state's custody to local community-based organizations. Texas should continue efforts to expand the Community-Based Care model to every region of the state while making data-based improvements to the model to increase local flexibility and ensure its long-term success.

Improve Mental Health Services: Texas should seek innovative ways to deliver mental and behavioral health services that are affordable and patient-centered.

End Anti-Competitive Contracting: To create a functioning healthcare market, the industry must be free from contractual language that reduces competition, restricts provider mobility, or prevents healthcare spending from being based on quality.

Reform Child Protective Services Reporting: Unfounded reports of child abuse and neglect can cause harm to innocent families while wasting valuable resources needed to protect children in actual danger of harm. Texas can better serve children and families by reforming mandatory reporter laws and creating an option for reporters to refer struggling families to community service providers who can help rather than CPS.

Reform Department of Family and Protective Services Central Registry: Texas should reform its child abuse and neglect central registry by prohibiting the listing of individuals prior to a court hearing determining their guilt or innocence.

Advance Family Mitigation and Diversion Laws: Texas should consider diversion laws that grant parents found guilty of nonviolent offenses priority access to programs like community-based alternatives to incarceration that have shown the ability to reduce recidivism.

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BETTER TECH FOR TOMORROW



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The Better Tech for Tomorrow campaign evaluates policy solutions through the lens of promoting civic virtue, protecting individual privacy, and ensuring the security, autonomy, and dignity of Texans. In recent years, TPPF's work on tech policy has resulted in successful initiatives to establish a digital bill of rights, protect children online, expand rural broadband, and create an artificial intelligence advisory council.

Strengthen Consumer Data Privacy: Texas passed the nation's strongest digital bill of rights last session, allowing Texans better ownership and control over their digital information. TPPF will advocate for improving existing laws to make exercising rights easier and more intuitive while increasing Texans' agency and ownership over their information.

Protect Kids' Online Safety: Texas joined numerous states last session in taking important steps to protect children online from the myriad harms posed by pornography, social media, and other detrimental content. TPPF will continue to be a leading voice pushing for more protections, advocating for device-level filtering, prohibiting children from accessing social media, and more.

Usher in Autonomous Vehicles Responsibly: Autonomous vehicles are a promising technology that holds the potential to reduce auto fatalities, increase mobility, reduce congestion, and free up land in major urban areas. But unfettered deployment of the technology puts Texans in harm's way and threatens to unseat the autonomy of drivers. TPPF will advocate for sound testing and deployment requirements while protecting Texans' right to drive their own vehicle.

Champion Right to Repair: When a customer purchases certain products, from smart devices to heavy farm equipment, it is not entirely their property because some large manufacturers have maintained a monopoly on the repair of such products. Instead of taking an iPhone or John Deere tractor directly to the manufacturer for repairs, Texans should have a choice to fix it themselves or take it to a local, small-business repair shop they trust more. TPPF will advocate for a robust right to repair law in Texas to give Texans full ownership of and agency over their personal property.

Reform Water Policy: Water is Texas' most precious resource, and policy must support innovation and prudence in safeguarding the state's supply. TPPF will research water policy and advance policy recommendations that promote sound water stewardship.



Life:Powered

A Project of the Texas Public Policy Foundation

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The Life:Powered campaign focuses on making energy more reliable and affordable, as well as improving Texans' energy IQ across the state. Life:Powered has worked on several successful reforms such as making the electric grid more reliable, combatting energy discrimination and harmful ESG policies, and protecting consumers from burdensome and authoritarian federal regulations.

Reform Proxy Voting and Investment Standards in Texas Pensions: State pensions that utilize environmental, social, and governance (ESG) investing practices place the financial future of state employees, teachers, and first responders in jeopardy. Texas should prohibit state and local pensions and endowments, as well as their contracted investment managers, from basing investment decisions on ESG criteria and ensure that their fiduciary duty is not muddied by political activism.

Make Texas a World Leader in Nuclear Energy: Nuclear is the safest and cleanest form of electricity production ever devised. Yet, the regulatory environment and subsidies for unreliable wind and solar make it virtually impossible to finance and build new nuclear power plants in Texas and across the country. Texas should work to remove regulatory barriers to nuclear, especially by advocating for changes to federal regulations and finding creative ways to circumvent the barriers those regulations have put up.

Reduce Transmission Costs for Texas Ratepayers: Transmission costs paid by Texas consumers continue to skyrocket, more than doubling over the past decade. The 88th Texas Legislature took the first steps toward requiring new electric generation projects to pay for interconnection costs beyond a certain allowance. Still, more needs to be done to ensure transmission policy in Texas is directed toward investments that serve ratepayers and not toward subsidizing the expansion of unreliable and unneeded new generation.

Reform Municipal Electric Utilities in Texas: Every Texan deserves to have a choice of electricity providers. The Legislature should reform municipal utility governance and expand deregulated electricity markets statewide so that citizens can utilize the free market to gain better service, reliability, and affordability.

Right on CRIME



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Protect the Public and Solve Crimes through Improving Crime Clearance Rates: Holding people accountable for committing crimes is one of the main ways to deter crime to begin with. However, crime clearance rates are extremely low; for example, in 2022, Texas only cleared solved about 50 percent of murders and 18 percent of rapes. Texas must support law enforcement and identify ways to prioritize solving violent crimes to get dangerous offenders off the street and keep our communities safe.

Allow Judges the Ability to Deny Bail for Serious Threats to Public Safety: Dangerous criminals can still be released on bail — even for violent crimes such as murder — because judges are prohibited from denying them bail. Texas must prioritize public safety by passing a constitutional amendment allowing judges to deny bail in these serious, high-risk cases.

Correct Incentives in Civil Asset Forfeiture: Civil asset forfeiture is a mechanism used by law enforcement that allows them to acquire an individual's assets before they are proven guilty of a crime. The use of civil asset forfeiture to supplement or meet budgeting requirements strains and damages the relationship between the police and their communities. Texas should require that seized assets be directed to a statewide fund rather than the individual law enforcement agency to remove the perverse incentive for law enforcement to seize assets.

Eliminate Grand Jury Shopping: Prosecutors in Texas are currently permitted to present the same case to multiple grand juries without any new evidence. Commonly referred to as “grand jury shopping,” this practice allows prosecutors to present cases repeatedly until a favorable one to the prosecution is found. Texas should prohibit a grand jury from investigating a person suspected of an offense if that person has previously been investigated and the grand jury issued no indictment — unless the prosecutor presents new evidence that was not known to the state before or during the previous investigation.

Require Presentation of Exculpatory Evidence in Grand Juries: Currently, state attorneys are not required to submit exculpatory evidence to a grand jury. The existing legal structure allows vital information to be kept from the members of a grand jury, who should have access to as much information as possible to make informed decisions when deciding whether there is probable cause to issue an indictment against the accused. Texas should require that prosecutors submit any evidence favorable to the suspect, material to the offense, and in possession or control of any person under contract with the State of Texas.

Permit Duress as an Affirmative Defense: Human traffickers use a variety of different methods to exert control over their victims, including violence, threat of violence, and psychological manipulation. Traffickers often use these tactics to force or coerce victims to commit crimes. Texas should amend the definition of duress to provide victims with an avenue to establish an affirmative defense of prosecution.

Family Mitigation and Diversion Laws: Incarceration has devastating effects on Texas families. Over 4/5ths of incarcerated women and 2/3rds of incarcerated men in the state are parents. While their parents are incarcerated, children are separated from them during critical periods of development. Research shows that children of incarcerated parents benefit from continuing contact with their parents, and incarcerated parents who have regular contact with their children are at reduced risk of recidivism. Texas should consider diversion laws similar to those already enacted by other states that grant parents found guilty of nonviolent offenses priority access to community-based alternatives to incarceration.