



FREQUENTLY ASKED QUESTIONS

On November 5, 2019, Texas will hold a Constitutional Amendment election. Prop. 5 is one of 10 propositions that will be on the ballot. Here are some answers to frequently asked questions about how we got to this point and why passage of Prop. 5 is critical.

ELECTION

What will Prop. 5 do?

Prop. 5 is a constitutional dedication of revenue from the existing sales tax (called the Sporting Goods Sales Tax), so those dollars can only be used by the Texas Parks and Wildlife Department and the Texas Historical Commission on public parks and historic sites, and not for any other purposes. **Importantly, Prop. 5 requires no new taxes or fees.** A YES vote on Prop. 5 on Nov. 5 will protect Texas' natural areas and historic sites, so we don't lose the very things that make Texas a special place in which to live.

What is the ballot language?

The exact language that will appear on the ballot is: "The constitutional amendment dedicating the revenue received from the existing state sales and use taxes that are imposed on sporting goods to the Texas Parks and Wildlife Department and the Texas Historical Commission to protect Texas' natural areas, water quality, and history by acquiring, managing, and improving state and local parks and historic sites while not increasing the rate of the state sales and use taxes."

Who can vote in a constitutional amendment election?

All eligible registered Texas voters can participate in this election. The deadline to register to vote is October 7. Early voting runs from Oct. 21 to Nov. 1 and Election Day is on Nov. 5. Texans are encouraged to visit VoteTexas.gov to make sure they are registered and find out more important information about the election.

HISTORY

Why do we need a constitutional amendment?

A constitutional amendment would guarantee a continuous and uninterrupted stream of sales tax revenue for State and Local Parks. The Sporting Goods Sales Tax (SGST) is supposed to be earmarked for the Texas Parks and Wildlife Department, but must be appropriated by the Legislature every two years. This creates instability and makes it nearly impossible for the Department to plan ahead for long-term capital improvements and the development of new parks that are still waiting to be opened, such as Palo Pinto State Park.

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What is the history of the Sporting Goods Sales Tax?

During the 1970s and 1980s, the main source of funding for state parks was a one-penny-per-pack tax on cigarettes. During the 73rd Legislative Session (1993), the Department worked successfully with legislators and state leadership to replace cigarette tax funding for state parks with a portion of revenues derived from the sales tax on sporting goods (House Bill 706).

What goods are covered under the Sporting Goods Sales Tax?

Sporting goods are defined in statute (Tax Code, 151.801(e)(2)) as "... an item of tangible property designed and sold for use in a sport or sporting activity, excluding apparel and footwear except that which is suitable for use only in a sport or sporting activity, and excluding board games, electronic games, and similar devices, aircraft and powered vehicles, and replacement parts and accessories for any excluded item." The Comptroller derives estimates for sporting goods sales tax (SGST) based on a national survey of the sporting goods market.

What has happened with funds generated by the Sporting Goods Sales Tax?

Unfortunately, the funds have not consistently found their way to the parks. In fact, from 1993 to 2017, the State has collected nearly \$2.5 billion in revenues from the SGST, yet only 40 percent has been appropriated for parks.

Why do the parks need more money?

Our parks face serious structural challenges from deteriorating and outdated infrastructure, harsh environmental conditions and extreme weather events. Consider these examples:

- 80% of State Parks were developed more than 30 years ago.
- Hurricane Harvey alone did \$50 million in destruction to our State Parks.
- 91% of the 113 playgrounds are 30 years old or older; 50 are in urgent need of replacement
- 90% of the 491 restrooms are 30 years old or older, and 300 require removal or replacement.

Who actually visits the parks, anyway?

Texas has 27 million people who increasingly gravitate to our parks seeking a respite from the city and a way to connect with the outdoors. State Park visitation is nearing 10 million visitors annually, with park revenues experiencing a nearly 40% increase in recent years. Our parks and historic sites are overflowing and stretched to the limit as Texans seek out outdoor opportunities in a state that is primarily privately owned with limited public access.

Didn't you already address this problem with a Legislative fix?

There have been a number of attempts, as recent as the 85th Legislative Sessions in 2015, with the active support of a diverse coalition of Texans from hunting and fishing groups, to environmentalists and conservation organizations, to pass legislative fixes to address this issue. Yet the fixes ended up being temporary and the relief has been short-lived. It is time for a sustainable solution.

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CONSTITUTIONAL AMENDMENT

Who came up with the idea of a constitutional amendment?

In 2014, the Texas State Park Advisory Committee recommended a constitutional amendment permanently guaranteeing that revenues generated from the SGST be dedicated to supporting state and local parks.

Does the public support a constitutional amendment?

According to all polls taken over the last decade, 70 percent of Texas voters would support a constitutional amendment to permanently dedicate the SGST revenues to the state and local parks and historic sites.

How did this end up on the ballot?

We had two terrific champions – State Senator Lois Kolkhorst and Representative John Cyrier – who introduced legislation in the 86th Legislative Session to put this amendment on the ballot. Both worked tirelessly to support the bill, SJR 24, which passed with near unanimous support, paving the way for Prop. 5 to be placed on the ballot this November.

ECONOMIC IMPACT

Why are state parks important to local economies?

State Parks impact local economies, creating jobs, growing tax revenue and attracting tourists from across the state and around the country. Based on a 2018 Economic Impact study, the parks generated more than \$891 million in sales, had a \$240 million impact on income for Texas residents, and supported an estimated 6,081 jobs throughout the state.

RESOURCES

State Park Advisory Committee report:

https://tpwd.texas.gov/publications/nonpwdpubs/media/pwd_rp_p4000_1801.pdf

Texas Senate Joint Resolution 24 (SJR 24) bill text:

<https://legiscan.com/TX/text/SJR24/id/2024196>

Texas Secretary of State's Office:

<https://www.votetexas.gov/>

2018 Study - Economic Contributions of Texas State Parks:

<https://www.tpwf.org/wp-content/uploads/2019/02/The-Economic-Contributions-of-State-Parks-2018-Report.pdf>

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