

County Judges and Commissioners Association of Texas 2024 Resolutions

Resolutions originate among members of Commissioners Courts and are submitted to the Resolutions Committee for consideration. County Judges and Commissioners spend hours reviewing and revising draft Resolutions before presenting them for adoption.

Resolutions adopted at the Annual CJCAT Conference serve as the CJCAT Legislative Platform. The CJCAT Legislative Committee and staff work diligently to ensure the issues represented in the Resolutions are brought before the Texas Legislature.

The following Resolutions were passed by the CJCAT representing 254 counties in the State of Texas on October 23, 2024, during the 102nd Annual CJCAT Conference.

1. Thanks to the Hays County and Comal County Commissioners Courts

WHEREAS, the Annual Conference of the County Judges and Commissioners Association of Texas was conducted in Hays County, Texas, on Oct. 21-24, 2024; and

WHEREAS, the Honorable Commissioners Court of Hays County and the Honorable Commissioners Court of Comal County have welcomed the County Judges and Commissioners Association of Texas in the most entertaining and excellent manner;

NOW, THEREFORE, BE IT RESOLVED that the County Judges and Commissioners Association of Texas expresses its wholehearted thanks and deep appreciation to the Honorable Courts of Hays County and Comal County for their courteous and warm hospitality extended to each of us.

2. Thanks to the Conference Sponsors and Exhibitors

WHEREAS, the Annual Conference of the County Judges and Commissioners Association of Texas was conducted in Hays County, Texas, on Oct. 21-24, 2024; and

WHEREAS, the many sponsors and exhibitors provide significant financial support for the conference and the Association; and

WHEREAS, the sponsors and exhibitors provide valuable information to our members;

NOW, THEREFORE, BE IT RESOLVED that the County Judges and Commissioners Association of Texas expresses its deep appreciation to our generous conference sponsors and exhibitors.

3. Thanks to State and Local Associations and Friends of County Government

WHEREAS, the Annual Conference of the County Judges and Commissioners Association of Texas was conducted in Hays County, Texas, on Oct. 21-24, 2024; and

WHEREAS, the members of the County Judges and Commissioners Association of Texas wish to acknowledge the expertise of and thank the staff of: Jim Allison of Allison, Bass & Magee, LLP; the Texas Association of Counties and Executive Director Susan Redford; the Texas Association of Regional Councils and Executive Director Ginny Lewis Ford; the V.G. Young Institute of County Government, a part of Texas A&M AgriLife Extension Service, and Executive Director Peter McGuill, Ph.D.; the Texas A&M AgriLife Extension Service agents' professional associations; *County Progress* Magazine and Editor Julie Anderson; and the many other state and local associations and people who have all been so helpful to county government;

NOW, THEREFORE, BE IT RESOLVED that this Association thanks all of these individuals and their staffs for their past, present, and future help on behalf of county government.

4. Memorial to Deceased Officials and Special Friends

WHEREAS, the following highly regarded members and friends of the County Judges and Commissioners Association of Texas are deceased; and

WHEREAS, the Association desires to pay appropriate respect to these members and friends; and

WHEREAS, since our last conference, the County Judges and Commissioners Association of Texas has mourned the passing of:

North & East Texas

Former Cherokee County Commissioner Moody Melton Glass Jr.

Former Galveston County Judge Ray Holbrook

Former Cooke County Commissioner Jerry Lewis

Former Cass County Judge Bob McCord

Van Zandt County Commissioner Virgil Melton Jr.

McLennan County Commissioner Patricia Miller

Former Bell County Commissioner John "Jack" Oliver Jr.

Ellis County Commissioner Paul Perry

Jefferson County Commissioner Vernon Pierce

Former Henderson County Commissioner Cleburn Shavor

Former Henderson County Commissioner Scotty Thomas

West Texas

Former Howard County Commissioner Emma Puga Brown

Former Hutchinson County Commissioner Larry Coffman

Former Swisher County Commissioner Harvey Foster

Former Bailey County Judge Sherri Harrison

Wilbarger County Commissioner Scott English

Andrews County Judge Charlie Falcon

Former Lynn County Judge H.G. Franklin

Lipscomb County Commissioner Merle Miller

Former Hudspeth County Judge Thomas D. Neely

Former Upton County Commissioner Tommy Owens

Former Eastland County Commissioner Reginald Van Pittman Sr.

Former Runnels County Commissioner Skipper Wheeless

Former Montague County Commissioner Glenn Seay

Former Taylor County Commissioner Jack Turner

South Texas

Former Cameron County Judge Carlos Cascos

Former San Patricio County Judge James Marvin (J.M.) Edmondson Jr.

Former Kenedy County Judge J.A. Garcia

Former Dimmit County Commissioner Joe Martinez

Former Cameron County Judge Menton Murray Jr.

*Former Duval County Judge Gilberto Uresti
Brooks County Commissioner Ernesto "Pepe" Williams Jr.*

NOW, THEREFORE, BE IT RESOLVED that the County Judges and Commissioners Association of Texas members pause for a moment of silence and meditation to honor the memory of these respected individuals.

5. Opposition to Unfunded Mandates

WHEREAS, Texas counties are responsible for the operation and management of many and various governmental programs as required or authorized by state law; and

WHEREAS, some county government programs are fully or partially supported with funds disbursed by the State of Texas pursuant to the state appropriations process; and

WHEREAS, the State of Texas, acting through the Texas Legislature or through a state agency or executive order, may enact laws or promulgate rules that have the effect of imposing mandatory financial obligations upon Texas counties; and

WHEREAS, the State of Texas, through the Texas Legislature or through a state agency or executive order, mandates that counties implement certain governmental programs or perform certain duties and obligations including financial commitments by a county to expend county funds in connection therewith; and

WHEREAS, every unfunded mandate results in a mandatory increase in property taxes; and

WHEREAS, during each regular session of the Texas Legislature, all state funds that support county programs are reviewed through the state appropriation process and by other state budgetary review systems; and

WHEREAS, the aforementioned review process may result in a reduction, or cessation, of state financial support of county government programs causing an unforeseeable disruption and reduction of the county budget and operations; and

WHEREAS, Texas counties cannot achieve reliable financial planning and the necessary bond ratings sufficient to support county-related obligations when the state mandates a new program that is not fully funded or under conditions where the state reduces or fully withdraws prior funding and disbursement for county government programs;

NOW, THEREFORE, the County Judges and Commissioners Association of Texas and its current member counties do hereby resolve that for the foregoing reasons, it is in the best interests of Texas counties and their taxpayers to support and favor the passage of legislation in the form of an amendment to the Constitution of the State of Texas that would expressly prohibit the imposition of a mandatory governmental program on Texas counties, whether by an act of the Texas Legislature or a state agency or by executive order, unless the State of Texas has fully funded and disbursed all necessary funds to enable Texas counties to operate said governmental program.

6. Support for Local Decision-Making and Opposition to Revenue Caps

WHEREAS, 52 percent of the average taxpayer's property tax burden is due to school taxes while only 16 percent is due to county taxes; and

WHEREAS, revenue caps diminish local decision-making and tie the hands of county officials and limit their ability to provide essential services to address the needs and emergencies of their citizens; and

WHEREAS, county government is already struggling to meet the demands of underfunded and unfunded state mandates such as backlogs of state prison inmates, mental health patients, and felony juvenile offenders; emergency management programs; appointed attorneys in CPS cases; indigent health care and indigent defense; and federal mandates such as the Help America Vote Act and the Clean Air Act; and

WHEREAS, the demands on county budgets continue to increase including health care, motor fuel, road materials, and all other products and services purchased by counties; and

WHEREAS, artificial revenue caps result in a shift of taxes from fluctuating properties, such as volatile mineral values, to those remaining relatively stable in value, such as residential properties; and

WHEREAS, additional revenue caps will result in a severe impact on essential county services including public safety and transportation infrastructure; and

WHEREAS, it is inequitable for the Texas Legislature to impose additional revenue caps on local governments without alternative funding sources and unfunded mandate relief;

NOW, THEREFORE, BE IT RESOLVED that the County Judges and Commissioners Association of Texas does hereby express its opposition to limits to local decision-making and does hereby oppose any further unreasonable revenue caps upon Texas counties, and the County Judges and Commissioners Association of Texas expresses its deep appreciation to all legislators who oppose these unsound measures.

7. County Local Option Revenue Sources

WHEREAS, county revenue sources are extremely limited; and

WHEREAS, under current statutes, counties are forced to rely upon property taxes to fund necessary services; and

WHEREAS, county taxpayers should have the option to adopt a local sales tax, a local severance tax, a local motor fuel tax, an increase in local vehicle registration fees, and other revenue sources to reduce property taxes;

NOW, THEREFORE, BE IT RESOLVED, that the County Judges and Commissioners Association of Texas requests that the Legislature amend the tax statutes to allow the adoption of a county local option sales tax, a local option severance tax, a local option motor fuel tax, an increase in local vehicle registration fees, and other revenue sources for the reduction of property taxes without imposing any additional revenue caps.

8. State Funds for Indigent Criminal Defense and Magistration Costs

WHEREAS, the right to assistance by legal counsel is guaranteed by the U.S. Constitution; and

WHEREAS, the State of Texas is required to implement this right and provide legal counsel to indigent criminal defendants; and

WHEREAS, the Texas Fair Defense Act, adopted by the Texas Legislature in 2001, implements this right and requires certain procedures and attorney appointments; and

WHEREAS, the Texas Legislature has failed to provide sufficient funding to offset the additional costs of the Fair Defense Act and has shifted this cost to county taxpayers; and

WHEREAS, county expenditures for indigent criminal defense have increased over 200 percent since the adoption of the Fair Defense Act; and

WHEREAS, the state funding is totally inadequate, providing approximately 12 percent of the indigent defense costs and none of the costs for criminal magistration and bail proceedings; and

WHEREAS, indigent criminal defense and criminal magistration are state responsibilities that should be adequately funded on a statewide basis, not a burden overwhelmingly borne by local property taxpayers; and

WHEREAS, the recent passage of legislation to require additional bail bond proceedings has increased the costs to local taxpayers without state funding;

NOW, THEREFORE, BE IT RESOLVED that the County Judges and Commissioners Association of Texas does hereby request that the Texas Legislature fully fund the cost of indigent criminal defense, which has cost local taxpayers over \$3.2 billion from 2001 through 2021, and fully fund the additional cost for criminal magistration imposed by the Special Session of the 87th Texas Legislature.

9. Juvenile Probation, Commitment, and Detention Funding

WHEREAS, the supervision of juvenile offenders is a responsibility of the State of Texas; and

WHEREAS, the Texas Legislature has consistently failed to appropriate sufficient funding to meet this responsibility; and

WHEREAS, Texas counties have increasingly met this burden by funding juvenile probation services and facilities; and

WHEREAS, Texas counties and their local taxpayers are now providing over 75 percent of the costs of juvenile probation, commitment, and detention; and

WHEREAS, current state funding formulas will continue to shift additional costs to county taxpayers unless addressed by the State of Texas; and

WHEREAS, the Texas Juvenile Justice Department recently closed its facilities for additional juvenile offenders without any reimbursement of this cost to counties;

NOW, THEREFORE, BE IT RESOLVED that the County Judges and Commissioners Association of Texas does hereby request that the Texas Legislature fully fund the costs of supervision of juvenile offenders, including the costs for juvenile probation, commitment, and detention, and immediately reimburse counties for the costs incurred for offenders committed to state facilities.

10. Mental Health Patients

WHEREAS, Texas counties are being forced to hold mentally incompetent prisoners for up to two years while awaiting court-ordered transfer to a state mental facility for treatment; and

WHEREAS, these pre-trial inmates cost the local taxpayers approximately \$430 million per year during this period of incarceration; and

WHEREAS, the county jail is not an appropriate facility for the mentally ill, and these prisoners pose a high risk of injury to themselves, the jail staff, and other prisoners; and

WHEREAS, the North Texas State Mental Hospital recently refused to accept any additional court-ordered mental patients without providing any financial assistance to counties for this state responsibility; and

WHEREAS, this delay and refused admissions by the state are increasing the cost to our taxpayers and continuing this improper practice;

NOW, THEREFORE, BE IT RESOLVED that the County Judges and Commissioners Association of Texas hereby requests that the State of Texas implement additional funding for mental health services and implement the state mental health plan to ensure the efficient and effective use of these resources, reimburse counties for the costs of operating diversion centers that serve individuals ruled incompetent to stand trial until a state mental health bed is available, and immediately reimburse counties for the cost of incarceration of offenders who have been committed to state facilities.

11. Opposition to Diversion of Dedicated Funds for 9-1-1 and Other Services

WHEREAS, citizens of Texas desire access to 9-1-1 emergency services in an efficient manner, as evidenced by approval of the monthly fee on business and residential phone bills; and

WHEREAS, the 9-1-1 emergency services dispatch and response depend on equipment which must function reliably on a continuous basis; and

WHEREAS, older equipment reaches a point of being high maintenance and becomes unreliable; and

WHEREAS, technology continues to improve, necessitating upgrading hardware and software for reverse 9-1-1 services and other needs; and

WHEREAS, the Legislature has committed certain funds for dedicated purposes; and

WHEREAS, unfortunately these funds have been improperly withheld from these needed functions and used to balance the general state budget;

NOW, THEREFORE, BE IT RESOLVED that the County Judges and Commissioners Association of Texas urges our state legislators to provide full funding to the Emergency 9-1-1 Services Program for maintenance and improvement; and

BE IT FURTHER RESOLVED that funds generated by the 9-1-1 surcharge will not be used by the Legislature as money set aside to balance the state budget; and

BE IT ALSO RESOLVED that any such funds set aside be fully appropriated for the Emergency 9-1-1 Services Program; and

BE IT ALSO RESOLVED that the County Judges and Commissioners Association of Texas expresses its opposition to any state diversion of dedicated funds.

12. Opposition to Granting Powers to Municipal Utility Districts and Special Utility Districts

WHEREAS, Texas is one of the fastest-growing states in the Union; and

WHEREAS, city government and county government should have appropriate authority to regulate growth in their respective counties and cities; and

WHEREAS, special water districts and private water corporations have the means to furnish water and provide for growth in rural areas of the counties; and

WHEREAS, municipal utility districts and special utility districts have been improperly used by certain developers to avoid compliance with county and city infrastructure plans;

NOW, THEREFORE, BE IT RESOLVED that the County Judges and Commissioners Association of Texas opposes the granting of additional powers to municipal utility districts, special utility districts, and any special districts, and requests that the approval of the county be required before any further districts are created.

13. Support for County Road Grant Fund

WHEREAS, constitutional amendments have been approved by the voters to increase dedicated funding for public roadways; and

WHEREAS, these constitutional amendments provide additional funding to be used only for constructing, maintaining, and acquiring right of way for public roadways other than toll roads; and

WHEREAS, these constitutional amendments provide needed support for public highways without increasing taxes; and

WHEREAS, the county road system is eligible for assistance from this funding; and

WHEREAS, county roads are being devastated by overweight trucks to enhance the production of oil and gas; and

WHEREAS, the oil and gas severance tax should be equitably shared with counties to repair this damage; and

WHEREAS, the Economic Stabilization (Rainy Day) Fund has reached record levels through deposits from the oil and gas severance tax; and

WHEREAS, the appropriations from this Fund can be utilized to fund the repair and rehabilitation of county roads;

NOW, THEREFORE, BE IT RESOLVED that the County Judges and Commissioners Association of Texas does hereby express appreciation for the additional funding appropriated to support the county road grant program and requests continued support for the county road system.

14. Uranium Mining Regulation

WHEREAS, uranium mining creates a special hazard for local groundwater; and

WHEREAS, uranium mining places a high demand upon local groundwater resources; and

WHEREAS, groundwater pollution by uranium mining cannot be recovered or rehabilitated and creates a permanent loss of groundwater; and

WHEREAS, county and groundwater conservation districts have very limited power to regulate uranium mining under current law;

NOW, THEREFORE, BE IT RESOLVED that the County Judges and Commissioners Association of Texas requests that state law be amended to require a due process permit proceeding and approval by the local Commissioners Court and groundwater conservation district before any permit is granted for uranium mining.

15. Sludge Waste and Biosolid Disposal

WHEREAS, human waste and other toxic materials are contained in municipal, domestic, and commercial sludge and biosolids; and

WHEREAS, this sludge and biosolid waste contains harmful bacteria, viruses, and chemicals that may contaminate local water supplies; and

WHEREAS some sludge and biosolids waste contains PFAS more harmful than bacteria and viruses and combines with chemicals that have and will continue to contaminate water supplies in not only municipalities but as well as private water wells due to run off from land application; and

WHEREAS, the current rules of the Texas Commission on Environmental Quality are inadequate to protect the water supply and adjacent landowners from the improper disposal of sludge and biosolid waste; and

WHEREAS, disposal of these materials should be a matter of local regulation;

NOW, THEREFORE, BE IT RESOLVED that the County Judges and Commissioners Association of Texas hereby requests more oversight and regulation of the land application of harmful substances in sludge waste and biosolids, and that no permits be issued for the disposal of sludge and biosolid waste without the approval of the Commissioners Court, and that the Texas Legislature clearly authorize local control of all sludge and biosolid waste permits.

16. Fireworks Regulations

WHEREAS, counties currently have limited authority to regulate fireworks; and

WHEREAS, due to the continued danger of drought and the concern for public safety, such regulations are necessary to protect life and property;

NOW, THEREFORE, BE IT RESOLVED that the County Judges and Commissioners Association of Texas is opposed to any legislative action that would remove or limit current county authority to regulate fireworks.

17. Oil and Gas Waste Disposal Facilities

WHEREAS, the Texas oil and gas industry is a vital part of our economy; and

WHEREAS, this industry requires the use of disposal facilities to operate in an efficient manner; and

WHEREAS, the operation of these disposal facilities can pose a substantial risk to the groundwater supply; and

WHEREAS, protection of the groundwater is also essential to the economy and health and safety of Texas citizens; and

WHEREAS, adequate information should be provided to Texas counties and their citizens to ensure the safe operation of oil and gas waste facilities and protection of the groundwater;

NOW, THEREFORE, BE IT RESOLVED that the County Judges and Commissioners Association of Texas does hereby request that the Texas Legislature and

the Texas Railroad Commission require that Texas counties, their citizens, and groundwater conservation districts be provided all available information concerning proposed oil and gas waste facilities in their area and a full opportunity to participate in the evaluation of any application for additional facilities; and

BE IT FURTHER RESOLVED that the Texas Railroad Commission be required to evaluate and consider the full local infrastructure impact and effect on local communities before voting on any such permit.

18. Rural Public Transit

WHEREAS, 36 Rural Transit Districts serve all the counties throughout Texas; and

WHEREAS, Rural Transit Districts provide access to needed goods and services, jobs, and medical services throughout the rural counties of Texas; and

WHEREAS, Rural Transit Districts traveled 26,647,853 miles and provided 2,691,762 one-way trips to the citizens of rural Texas in 2021; and

WHEREAS, funding opportunities for large federal and state grants have historically left qualified rural projects underfunded; and

WHEREAS, without increased funding to meet increasing service demands and costs in rural areas, services to those most in need in rural Texas will suffer;

NOW, THEREFORE, BE IT RESOLVED that the County Judges and Commissioners Association of Texas expresses its support for a meaningful increase in funding for Rural Transit Districts.

19. Support for Funding Authority for County Transportation Projects

WHEREAS, on November 2, 2021, the voters approved Proposition 2, a constitutional amendment authorizing county financing for transportation projects; and

WHEREAS, Proposition 2 authorized counties to participate in needed transportation projects without increasing property taxes; and

WHEREAS, under Proposition 2, counties will be authorized to pledge the revenues from increased values of properties that benefit from a transportation project to fund the cost of the project; and

WHEREAS, this financing method will equitably allocate the cost of such projects to the improved properties, rather than all county taxpayers; and

WHEREAS, this financing method has been successfully implemented by Texas cities to finance essential transportation improvements;

NOW, THEREFORE, BE IT RESOLVED that the County Judges and Commissioners Association of Texas does hereby support the passage of enabling legislation for Proposition 2 to authorize county financing for transportation projects.

20. Full Funding of DPS Labs

WHEREAS, the State of Texas through the Texas Department of Public Safety (DPS) provides for the testing of controlled and illegal substances for criminal cases; and

WHEREAS, while the service is valuable to the prosecutorial process, it is not timely as most tests require six-nine months before results are rendered; and

WHEREAS, many alleged and formerly convicted violators must be released after 90 days with the high probability that they will reoffend and further endanger the public and further burden law enforcement; and

WHEREAS, the recent reduction in state funding will reduce the effectiveness of the DPS labs and result in further delays in the administration of justice;

NOW, THEREFORE, BE IT RESOLVED that the County Judges and Commissioners Association of Texas requests full funding, staffing, and equipping of the DPS labs to return results in the required legal time to serve justice.

21. County Homestead Exemption

WHEREAS, the current constitutional provisions limit the ability of counties to a percentage of the appraised value of homesteads; and

WHEREAS, the current limitations prevent the adoption of a homestead exemption to provide greater benefit to lower-priced properties; and

WHEREAS, additional discretion should be granted to counties to determine the homestead exemption;

NOW, THEREFORE, BE IT RESOLVED that the County Judges and Commissioners Association of Texas requests that a constitutional amendment be adopted to allow counties to grant discretionary homestead exemptions based upon a dollar amount of the taxable value of the property.

22. Texas Department of Criminal Justice Inmates

WHEREAS, currently counties are required to hold inmates who have been committed to the Texas Department of Criminal Justice (TDCJ) for up to 45 days; and

WHEREAS, TDCJ has failed to timely accept its inmates during the COVID-19 epidemic, forcing this additional expense on county taxpayers; and

WHEREAS, counties are required to hold parolees who are awaiting a revocation hearing before the TDCJ Parole Board; and

WHEREAS, TDCJ does not provide adequate transportation of its inmates from county jails to its facilities; and

WHEREAS, the cost to county taxpayers for the failure of the State of Texas to meet its responsibilities for state inmates is over \$100 million per year;

NOW, THEREFORE, BE IT RESOLVED that the County Judges and Commissioners Association of Texas commends the 88th Legislature and Gov. Greg Abbott for the approval of H.B. 2620 by Rep. Geren/Sen. King to provide reimbursement to counties for TDCJ inmates after 45 days.

23. Optional County Road and Bridge Fee

WHEREAS, the current maximum county optional road and bridge fee has been frozen at \$10 since 1991; and

WHEREAS, the cost of construction and maintenance of the county road system has increased tremendously in recent years; and

WHEREAS, as the population of Texas continues to grow, the need for efficient county transportation systems will increase;

NOW, THEREFORE, BE IT RESOLVED that the County Judges and Commissioners Association of Texas requests that the maximum county optional road and bridge fee be raised to \$20 per vehicle.

24. County Election Security and Costs

WHEREAS, the integrity of elections is fundamental to democracy and the functioning of government; and

WHEREAS, free and fair elections are essential to the principles of representation and accountability; and

WHEREAS, the increasing threats to election security, including cyberattacks, misinformation campaigns, and other forms of interference, pose significant risks to the electoral process; and

WHEREAS, adequate funding is necessary to ensure that election systems are secure, reliable, and up-to-date, including investments in technology, training, and infrastructure;

WHEREAS, state and local election officials require resources to develop and implement effective security measures, conduct risk assessments, and provide education to the public on the electoral process; and

WHEREAS, many jurisdictions, particularly in rural areas, may face unique challenges and resource constraints that require targeted support from state and federal governments; and

WHEREAS, robust funding for elections supports voter accessibility and participation, ensuring that all citizens have the opportunity to exercise their right to vote;

NOW, THEREFORE, BE IT RESOLVED, that the County Judges and Commissioners Association of Texas request the state implement additional funding for elections and election security to protect the integrity of our electoral process and continue the use of local choices including the use of election administrators and countywide polling.

25. Limitations on Registered Sex Offenders in Counties

WHEREAS, home rule municipalities have the authority by ordinance to provide for the public safety of their citizens to restrict a registered sex offender from going in, on, or within a specified distance of a child safety zone in the municipality; and

WHEREAS, general law municipalities now have the authority with the passage of H.B. 1111, enacted by the 85th Texas Legislature, effective September 1, 2017, to provide for the public safety of their citizens to restrict a registered sex offender from going in, on, or within a specified distance of a child safety zone in the municipality; and

WHEREAS, Texas counties should also be able to provide for the public safety of their citizens living outside the boundaries of any municipality by restricting a registered sex offender from going in, on, or within a specified distance of a child safety zone in the county; and

WHEREAS, no current statute authorizes a Texas county to enact an ordinance or order establishing a “Child Safety Zone” and restricting a registered sex offender from going in, on, or within a specified distance of a child safety zone in the county; and

WHEREAS, legislation is necessary to authorize counties to enact an ordinance or order to provide public safety for its citizens by placing limitations on registered sex offenders in the county;

NOW, THEREFORE, BE IT RESOLVED that the County Judges and Commissioners Association of Texas respectfully requests that the Texas Legislature pass legislation providing Texas counties the authority to enact an ordinance or order regarding limitations on registered sex offenders in counties.

26. Opposition to Efforts to Prohibit County Legislative Communications

WHEREAS, certain legislative proposals would prohibit the use of county funds to retain experts, consultants, and lobbyists to influence legislation, pay dues to associations that influence legislation, and to reimburse county officials for influencing legislation; and

WHEREAS, any bills that would prohibit the use of county funds would effectively silence the voice of local officials and prevent effective communication and representation of their citizens and taxpayers; and

WHEREAS, county officials require the ability to collectively develop and express their positions and information through associations; and

WHEREAS, the inability to retain experienced representation before the federal and state legislative bodies and agencies would place our communities at a distinct disadvantage in efforts to obtain and retain federal and state projects and military bases; and

WHEREAS, smaller counties especially need to be able to combine their resources to efficiently and effectively present their unique issues to state and federal government; and

WHEREAS, requiring elected officials to personally expend personal resources to present the views of their citizens would impose an extreme hardship upon these public servants; and

WHEREAS, such prohibition would stifle the basic tenets of democracy and open government;

NOW, THEREFORE, BE IT RESOLVED that the County Judges and Commissioners Association of Texas does hereby express its opposition to any legislation that attempts to silence the combined voices of the county officials of this state.

27. Damage to County Roads by Oil and Gas Activity

WHEREAS, counties impacted by oil and gas activity experience significant and costly damages to the county road system; and

WHEREAS, the Texas Legislature has created the County Transportation Infrastructure Fund (CTIF) which has received two appropriations from the state revenues; and

WHEREAS, local tax revenue must be appropriated to repair the damages when the CTIF grant appropriation is insufficient; and

WHEREAS, the 86th Texas Legislature enacted Senate Bill 2 which restricts property tax revenue growth and provides for a local referendum on property tax increases; and

WHEREAS, the needs of the oil and gas industry may not be met, and public safety may deteriorate if local elections for tax revenue increases are vetoed by local taxpayers;

NOW, THEREFORE, BE IT RESOLVED that the County Judges and Commissioners Association of Texas hereby requests that the Texas Legislature relieve local taxpayers of the burden of repairing county roads damaged by oil and gas activity by enacting a permanent statewide funding solution for repairing the damage to county roads caused by oil and gas activity.

28. County Land Use Authority

WHEREAS, counties have no significant land use authority; and

WHEREAS, substandard and obnoxious development can reduce the value and investment of adjacent property owners; and

WHEREAS, counties should have a limited ability to protect the current landowners and public health and safety; and

WHEREAS, appropriate development is inhibited and discouraged by substandard and inappropriate development;

NOW, THEREFORE, BE IT RESOLVED that the County Judges and Commissioners Association of Texas requests that the Texas Legislature grant limited, local option authority to Texas counties to ensure more compatible development within the county to protect our landowners and public health and safety, and prevent overuse of natural resources, such as ground and surface water.

29. Texas Sales Tax Rebate Bill – Broadband Telecommunications Equipment

WHEREAS the County Judges and Commissioners Association of Texas remains supportive of the state's ongoing commitment to bridge the digital divide by ensuring all Texans have access to fixed, high-speed broadband connectivity; and

WHEREAS, according to the U.S. Census Bureau, 2.8 million Texas households lack broadband access, a problem that disproportionately impacts rural communities, and data shows that Texas continues to have the largest rural population in the country; and

WHEREAS, during the 88th Legislative Session, the State Legislature of the State of Texas made significant progress through HB 9 and HJR 125 in making funds available to promote public-private partnerships, and those efforts were ultimately approved by Texas voters through their overwhelming support of Proposition 8 on the November 2023 ballot; and

WHEREAS, the work and resources needed to continue this effort and help close the digital divide continue to be significant, and the private sector continues to invest private capital to close the digital divide; and

WHEREAS, the 89th Legislature of the State of Texas can make further progress in this space by removing the annual sales tax rebate cap for certain purchases related to the provision of equipment for the expansion of broadband infrastructure in the state; and

WHEREAS, Texas has the ninth highest sales tax rate in the nation on network equipment used in the deployment of internet access services, telecommunications services, and cable television services; and

WHEREAS, current state laws passed in 2013 provide a sales tax rebate on telecommunications equipment but cap the total rebate at \$50 million annually and prorate the \$50 million between all providers; and

WHEREAS, since 2020 broadband providers have been charged with working with state and federal partners to close the digital divide and provide high quality broadband service to every serviceable location in the state, and removing the \$50 million cap on broadband telecommunications equipment sales under the current tax rebate program would serve to give providers much-needed resources to complete the rapid expansion of broadband networks across the state, including rural, underserved areas of Texas, and ensure that existing networks are properly maintained.

NOW, THEREFORE, BE IT RESOLVED, by the County Judges and Commissioners Association of Texas that we wholeheartedly support the elimination of

the cap on broadband telecommunications equipment under the current sales tax rebate program to continue to promote the expansion of broadband infrastructure and telecommunications networks across Texas.

30. Resolution of Support for County Motor Fuel Tax Exemption

WHEREAS, Texas counties are the action arm of the state government and are responsible for the operation and management of many various state governmental programs as required or authorized by state law; and

WHEREAS, Texas counties provide essential state services to constituents at the local level which are fully or partially supported with funds disbursed by the State of Texas pursuant to the state appropriations process; and

WHEREAS, Texas counties provide emergency management services to the citizens of the State of Texas and serve as first responders during disasters to clear roads and provide lifesaving rescue and recovery support to local, regional, state, and federal agencies; and

WHEREAS, rising fuel costs have a significant impact on county budgets; and

WHEREAS, the State of Texas has authorized a motor fuel tax exemption for volunteer fire departments which partner with Texas counties to provide lifesaving fire response and mitigation to the citizens of Texas; and

WHEREAS, the State of Texas has authorized a motor fuel tax exemption to Texas public schools for motor fuel taxes which helps reduce expenses to local school districts and alleviate the impact of local school property taxes to the citizens of Texas; and

WHEREAS, exempting Texas motor fuel taxes for Texas counties will reduce tax churn in the state and further alleviate the impact of local county property taxes to the citizens of Texas;

NOW, THEREFORE, the County Judges and Commissioners Association of Texas does hereby resolve that for the foregoing reasons, it is in the best interest of Texas counties and their taxpayers to support and favor passage of legislation that exempts counties from state motor fuels taxes.

31. Support for Statewide Funding for Rural Ambulance Service

WHEREAS, in many rural communities in Texas the EMS responders might be the only health care provider in the community; and

WHEREAS, Texas has experienced many rural hospital closures, and once a rural hospital closes, the local EMS agency is often the only remaining emergency health care provider; and

WHEREAS, EMS is not designated as a mandatory service for state or local governments; however, many rural counties attempt to manage the development, funding, and maintenance of EMS with declining resources; and

WHEREAS, staffing shortages, declining insurance reimbursements, uninsured patients, expanding areas to provide service, and acquiring updated equipment are issues that amplify the challenges of providing rural EMS; and

WHEREAS, according to a nationwide study on access to timely ambulance service, Texas ranks near the top in terms of rural residents living in ambulance deserts, creating excessively lengthy response times; and

WHEREAS, volunteer services are phasing out with the aging population of volunteers while the younger population in the community commutes to distant employment or moves to urban areas leaving few replacements; and

WHEREAS, urban residents and their families depend upon rural EMS when traveling throughout Texas, making access a statewide issue;

NOW, THEREFORE, BE IT RESOLVED that the County Judges and Commissioners Association of Texas and its current member counties hereby support and favor the passage of legislation to provide statewide funding to support and enhance rural EMS for all Texans.

32. Rural Volunteer Fire Departments

WHEREAS, rural volunteer fire departments play a critical role in ensuring the safety and well-being of communities by providing essential fire protection and emergency services; and

WHEREAS, these departments often operate with limited resources, relying heavily on volunteer personnel who dedicate their time and efforts to protect lives and property; and

WHEREAS, rural areas face unique challenges, including longer response times, limited funding, and difficulty recruiting and retaining volunteers, which can hinder the effectiveness of fire protection services; and

WHEREAS, the safety of our communities hinges on the capability and support of these volunteer fire departments, which often serve as the first responders in emergencies, such as wildfires, tornados, and other disasters; and

WHEREAS, the lack of adequate funding, training, equipment, and community support negatively impacts the ability of these departments to respond to emergencies effectively; and

WHEREAS, with the increased exposure to lithium fires more assistance from the state is needed with regard to funding protective measures for all first responders that now must deal with lithium fires from automobiles to charging stations; and

WHEREAS, it is essential to promote broader public awareness and appreciation of the invaluable services rendered by volunteer fire departments; and

WHEREAS, investment in training, equipment, and resources for rural volunteer fire departments is necessary to improve emergency response capabilities and ensure community safety;

NOW, THEREFORE, BE IT RESOLVED that the County Judges and Commissioners Association of Texas hereby requests that the Texas Legislature provide funding and grants to positively impact the sustainability of rural volunteer fire departments.

County Judges and Commissioners Association of Texas

2024 Resolutions Committee

*Chairman: Victoria County Judge Ben Zeller
Cherokee County Commissioner Kelly Traylor
Denton County Commissioner Bobbie Mitchell
Hardin County Commissioner Chris Kirkendall
Johnson County Commissioner Rick Bailey
McMullen County Judge James Teal
Swisher County Judge Harold Keeter*

In addition to the above-adopted resolutions, the County Judges and Commissioners Association of Texas Resolutions Committee requests that the following items be recommended for future study and consideration.

1. State funding to fully implement all state recommendations for adequate school security.
2. State funding to meet county cost of transport, autopsy, and disposition of dead bodies.
3. Maintain local control and recovery of cost of reproduction of clerk's digitized records and e-filing.
4. Require vehicles to reduce speed and/or yield a traffic lane to county road and bridge vehicles and equipment.
5. Require Commissioners Court representation on Regional Water Planning Groups.
6. Request legislation to require state reimbursement for court-appointed attorneys in child protective services cases.
7. Continue full funding for the Texas Historic Courthouse Preservation Grant Program.
8. State funding for all state special elections.
9. Additional funding for sales tax support on fireworks dedicated for local use.
10. More local authority on the regulation of fireworks.
11. Additional county authority over vehicle inspection and licensing procedures.
12. Local retention of asset forfeiture funds.
13. Prohibit abuse of the Public Information Act by excessive and burdensome requests.
14. Support and restore county authority to regulate all county buildings and property.
15. Support full state funding for lost revenue from disabled veterans and surviving spouses exemption.
16. Review of the equity of ad valorem tax exemptions, tax rate calculation, and the property appraisal process to facilitate a more equitable tax system.
17. Allow the county to retain the child protection and family preservation fees for distribution to family and child agencies unless the city requests its distribution.
18. Allow for the return of the 2 percent fireworks sales tax to the county to distribute to its volunteer fire departments.
19. Broaden the use of the Texas Forest Service insurance fund to assist volunteer fire departments with equipment and buildings.

20. Prohibit the inclusion of optional road and bridge and other elective taxes and interest and sinking fund taxes in Tax Increment Financing agreements and projects.
21. Redistribute the cost for special probate judge appointments to assess the cost against the estate when feasible.
22. Reimburse the county for the actual transport expense of female prisoners to TDCJ facilities.
23. Authorize counties to investigate the criminal record of cybersecurity contract employees.
24. Authorize Commissioners Court to deny plat applications for unresolved prior subdivision violations.
25. Oppose the use of eminent domain and public funding for mandatory high speed rail transportation and require full transparency for all such projects.
26. Support a local option timber severance fee.
27. Oppose any additional increase in truck weight limits and support local option weight limit controls on county roads.