

FILED
TERRI ROSS
COUNTY CLERK

2021 JAN 29 AM 11:27

UPSHUR COUNTY, TX.

BY  DEPUTY

IN THE COMMISSIONER'S COURT
OF UPSHUR COUNTY, TEXAS

RESOLUTION 2021-02

BE IT REMEMBERED at a meeting of Commissioners' Court of Upshur County, Texas, held on the 29th day of January, 2021, on motion made by Gene Dolle, Commissioner of Precinct No. 1, and seconded by DUSTIN NICMOLSON, Commissioner of Precinct No. 2, the following Resolution was adopted:

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 is proposing to prohibit any use of county funds for collective legislative communication, including nonprofit associations, which would require all county officials to separately analyze thousands of bills without the benefit of assistance of outside legislative professionals and effectively silence small to medium size 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, 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; and

WHEREAS, substantial funding is mandated from county taxpayers and diverted every year from local services for the benefits for citizens of Upshur County to support these mandatory financial obligations imposed by the State of Texas including the following each year:

Thousands of dollars to support appointment in criminal cases;

Thousands of dollars to support appointment of attorneys in Child Protective Services (CPS) cases;

Thousands of dollars to support and maintain state prisoners in county jails pending transfer to the Texas Department of Criminal Justice, according to regulations imposed by the Texas Jail Standards Commission;

Thousands of dollars to fund the State Judicial System;

Thousands of dollars to fund operations of the Central/County Appraisal District which operates at the direction of the State of Texas to appraise all real property and certain personal property for purposes of assessing property taxes;

Thousands of dollars to support the services of Texas Community Supervision and Corrections Department (Adult Probation) and the Juvenile Probation Department;

Thousands of dollars to provide support staff, office facilities, utilities and equipment for locally stationed Texas Department of Safety (DPS) troopers.

not even to mention indigent health care.

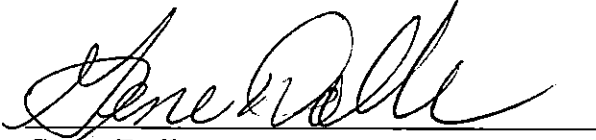
These and other state mandatory services require hundreds of thousands of dollars from Upshur County property taxpayers each year and amount to a substantial total percentage of the Upshur County tax rate.

NOW, THEREFORE, BE IT RESOLVED that the Commissioners of Upshur County, Texas 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 costs of a mandatory governmental programs 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.

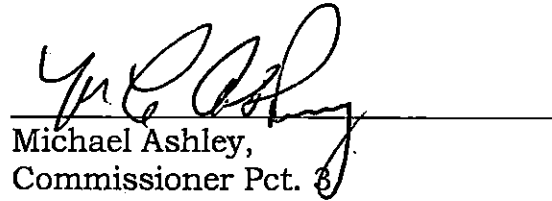
Signed this 29th day of January, 2021.



Todd Tefteller
Upshur County Judge



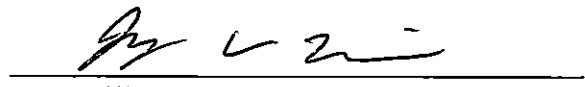
Gene Dolle,
Commissioner, Pct. 1



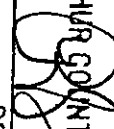
Michael Ashley,
Commissioner Pct. 3



Dustin Nicholson,
Commissioner, Pct. 2



Jay Miller,
Commissioner, Pct. 4

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