

AGENDA ITEM 25

Consider approving a resolution prohibiting mandatory financial obligations upon Texas counties.

Judge Doerfler addressed the Court regarding a resolution to call for an amendment to the constitution of the State of Texas, which would prevent the state government from pushing mandatory financial obligations onto the individual Texas counties. This measure, he stated, has been requested by the Texas Association of Counties (TAC).

Moved: **Judge Doerfler**

Seconded: **Commissioner Limmer**

Motion: To approve a resolution prohibiting mandatory financial obligations upon Texas counties.

Vote: **3 – 0 – 1**. **Commissioner Hays** abstained from the vote on the grounds that he lacked familiarity with the issue.

< Attachment >

County of Williamson

State of Texas

Resolution

WHEREAS, Williamson County operates and manages many and various governmental programs as required or authorized by law; and

WHEREAS, some county governmental 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 or issue orders that have the unintended consequences of imposing mandatory financial obligations upon Texas counties; and

WHEREAS, from time to time, the state of Texas, acting 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 that include 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 interruption of the county budget and county financial operations; and

WHEREAS, Texas counties cannot achieve reliable financial planning and the necessary and superior bond ratings sufficient to back up county related obligations under circumstances where the state mandates a new program that is not fully funded or under conditions where the state scales back or fully withdraws prior funding and disbursement for county government programs.

NOW, THEREFORE, the county of Williamson does hereby resolve that for the foregoing reasons, it is in the best interests of Texas counties to support and favor the passage of legislation, including a constitutional 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, without the state of Texas first fully funding and disbursing all necessary monies to enable Texas counties to sufficiently operate said government program.

IT IS SO ORDERED THIS THE 25TH DAY OF NOVEMBER 2003.

SIGNED AND ENTERED ON THE ABOVE DATE BY THE FOLLOWING
MEMBERS OF THE COMMISSIONER'S COURT.

John C. Daehler 11-25-03
County Judge
Williamson County