



Local Control and Texas Counties





Local Decisions For Local Services

The Texas Constitution establishes the same basic structure and duties for all 254 Texas counties, with locally elected officials determining the levels of service based on community expectations as expressed at the ballot box and regular contact with citizens. While this “government closest to the people” is funded primarily through the property tax, the costs of many county services fluctuate based on uncontrollable events as well as mandated programs required by the state and federal governments.

Historically, Texans have distrusted centralized government wherever that government has been located. This has resulted in our desire for and rich history of local control.

Citizens talk with their county officials in church, at the supermarket, and at the frequent commissioners court meetings. There they can let the elected officials know exactly where they stand on local issues – an opportunity few have with federal or even state officials.



County Services Vital: Many Mandatory, Some Discretionary

County governments provide the underlying infrastructure – the glue – that enables Texans to live productive lives in harmony with each other. Many county services and responsibilities are mandated by state law, including such examples as public safety and jails, support for the court system, reliable record-keeping for deeds and public documents, operating elections and certain health and human services. Provision of many other services is discretionary – it is up to local commissioners courts to determine the level of service for providing county roads, EMS/ firefighting services, economic development, parks, seniors citizen services and libraries. But discretionary services are not the only services affected by reduced funding. For mandatory services, reductions in funding could mean cutbacks in services – longer lines, curtailed office hours and reduced availability of access.

Citizens have Direct Impact on Local Decisions

County judges and commissioners are typically elected based on their position regarding the property tax. Many get into office on the promise of lower taxes. Raising property taxes often causes these individuals to lose their elected positions. The voting booth provides taxpayers with tangible, local control of property taxes. Statewide polls show that Texans want their local tax rates set by local officials, NOT the Texas Legislature.

Under current law, counties are granted the latitude to increase local taxes only after following several steps that make sure voters:

- are aware of the proposed increase,
- have an opportunity to make their opinions known, and
- can hold specific officials accountable for their decisions.

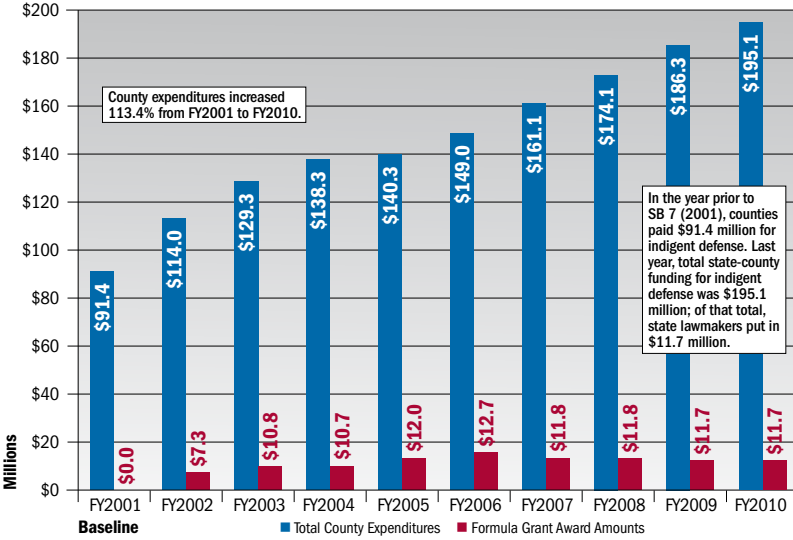
Any attempt to adopt a tax rate that increases a county's revenue by even one penny is open to public scrutiny with large public notices in local newspapers that the new rate is indeed a tax increase, official minutes that document which officials voted for or against the tax increase, and the increased dollar amount for a \$100,000 home. Local entities must now hold **two public hearings** with their citizens to discuss the tax rate, giving the public ample opportunity to voice their concerns or support.

Then, if a county commissioners court votes to increase the local levy as much as 8 percent above the effective tax rate, local voters may petition to call an election on whether to roll back the tax rate to its prior level. As many as 30 local governments experience rollback elections each year, clearly showing that taxpayers and voters are not shy about making their voices heard.

State restrictions on Local Revenue Decisions Ignore Uncontrollable Costs

Every year, counties are forced to cope with unanticipated increases in the cost of doing business. For example, when the crime rate goes up, counties must still find ways to keep lawbreakers behind bars, despite

Indigent Defense Expenditures and Formula Grant Awards FY01–FY10
(Not Adjusted for Inflation)

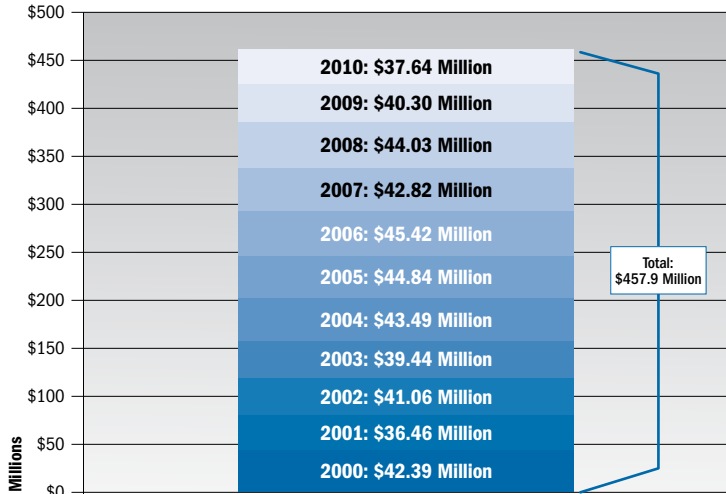


overcrowded jails. When gasoline prices skyrocket, counties must still keep their law enforcement officers on patrol to maintain residents' safety and security. And

when the cost of health care explodes, counties must still pay for the medical needs of their indigent community.

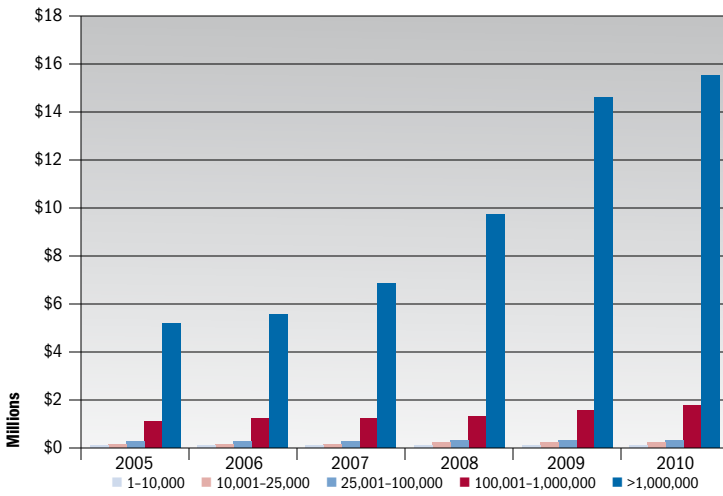
Load-Shedding by State Government: Many local services are an intertwined effort of state and county resources, especially in the court system and transportation infrastructure development. During difficult budgetary times for state government, reduction in state funding frequently leave counties holding the bag – if the state coughs, local government gets the flu. For the state to set even stricter limits on local revenue decision-making would not give counties constitutional protection against unfunded mandates but would statutorily let the state dictate local decisions on budgets with no protection against state mandates.

Cumulative Impact of Housing Blue Warrant Inmates 2000–2010
(Not Adjusted for Inflation)



Costs Can't be Postponed: New people mean more services. Property tax collections based on Jan. 1 values always lag a year behind even as

Average Total Expenditures for Inmate Medical, Dental & Mental Health Costs in the County Jail

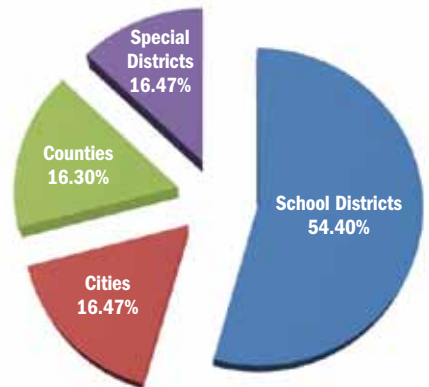


growth continues through the year. Suburban communities, where farmland suddenly requires city-like services, demand new roads and other basic infrastructure. Are deputies supposed to ignore busting a

new meth lab, because it isn't in the budget? Should a county reschedule a capital murder trial until the next fiscal year?

The Real Issue is School Finance: Counties are often blamed for property taxes because they often collect the property taxes not only for themselves, but also for other local governments such as cities, schools, and special districts (e.g., municipal utility districts). But county taxes are not the problem. In 2008 only 16.3 percent of property tax levies went to counties. By comparison, 54.4 percent of the property tax burden is a result of public education spending.

Property Taxes by Government Type, 2009



Maintain Texas' Deep-rooted Traditions

As this brochure describes, Texans want their governmental decisions made locally. Changing the long-standing practice of putting local citizens in control of their local officials' actions regarding taxes is just plain-and-simple **not the Texas way.**



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