

Legislative Brief

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STRONG

TRANSPARENCY

WHAT COUNTIES ARE SAYING

County government adheres to a host of transparency laws and works diligently to promote and achieve transparency on a daily basis. While statewide efforts to improve transparency are often well-intentioned, they do not always reflect the needs and capabilities of local communities.

BACKGROUND

A cornerstone of citizen participation is the principle of transparency, which provides the public with access to government decisions, deliberations, and information. Texas counties are committed to this principle. In fact, as a matter of law, county governments must maintain transparency and abide by the public information and open meetings laws promulgated in our state.

In daily operations, county officials work in a number of ways to ensure transparency is promoted and achieved. Commissioners courts, for instance, conduct their deliberations and decisions in an open forum, with certain limited statutory exceptions. They abide by strict transparent procedures set by statute when setting tax rates, including requirements that they hold certain hearings, utilize specific language, and draft and post certain notices—all of which augment an existing open rate setting process. Additionally, county governments respond to requests for public information in accordance with the Public Information Act.

Counties also create their own means of transparency beyond those that are required. These other means are created based on the needs of the local community and may include, among other items, a web page, social

media, community office hours, as well as extra contact information for county officials and staff.

Many changes proposed in recent legislative sessions would have a limited effect on transparency, while adding an undue burden to local entities. When it comes to placing public information online and enhancing access, for instance, the diversity of counties hinders an across-the-board solution. Presently, counties use the resources that are available to them to enhance public access to information—and it's not a one-size-fits-all approach. Counties vary in size and budgets, and local officials decide the most efficient and effective ways of providing information that is within their means. In their capacity as locally elected officials, they survey the county's current operations, weigh the costs and utility of all county expenses, and decide what is reasonable and best in their particular circumstances to best serve their constituents.

Counties are transparent in their operations, whether it's pertaining to county finance and budget matters or other issues affecting county residents. Seeking greater transparency is a laudable goal; however, this goal must be balanced with the on-the-ground realities of the capacity of the county implementing the policies. County officials and state officials should work together to ensure that any proposed statewide policy does not deter real improvement in transparency. ★