

STATE OF TEXAS       §  
                                  §  
COUNTY OF POLK       §

**State Funds for Indigent Criminal Defense**

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 costs of the Fair Defense Act and has shifted this cost to county taxpayers; and

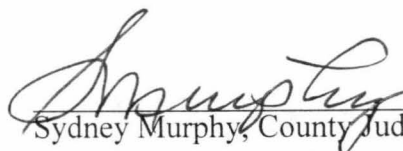
WHEREAS, county expenditures for indigent criminal defense have increased over 100 percent since the adoption of the Fair Defense Act; and

WHEREAS, the state funding is totally inadequate, providing approximately 12 percent of the indigent defense costs; and

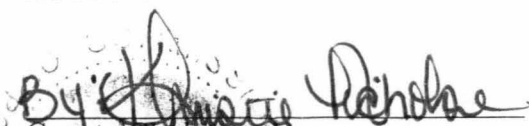
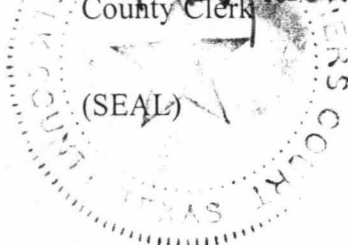
WHEREAS, indigent criminal defense is a state responsibility that should be adequately funded on a statewide basis, not a burden overwhelmingly borne by local property taxpayers;

NOW THEREFORE, BE IT RESOLVED that the Commissioners Court of Polk County, Texas does hereby request that the Texas Legislature fully fund the costs of indigent criminal defense.

Adopted this 13<sup>th</sup> day of September, 2016.

  
\_\_\_\_\_  
Sydney Murphy, County Judge

ATTEST:

  
\_\_\_\_\_  
County Clerk  
  
(SEAL)  
COMMISSIONERS COURT  
POLK COUNTY, TEXAS

STATE OF TEXAS     §  
                                  §  
COUNTY OF POLK   §

**Opposition to Appraisal Caps and Revenue Caps**

WHEREAS, the Texas Legislature has previously considered and rejected proposals for additional revenue caps and additional appraisal caps on counties; and

WHEREAS, 60 percent of the average taxpayer's property tax burden is due to school taxes while only 14 percent is due to county taxes; and

WHEREAS, appraisal caps or revenue caps would diminish local control 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 under-funded and unfunded state mandates such as 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 appraisal caps or revenue caps will result in a shift of taxes from rapidly appreciating properties to those remaining relatively stable in value and to all non-residential properties; and

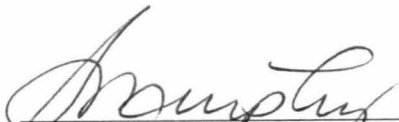
WHEREAS, appraisal caps or revenue caps will not necessarily result in a reduction of property taxes but will result in a severe impact on county services; and

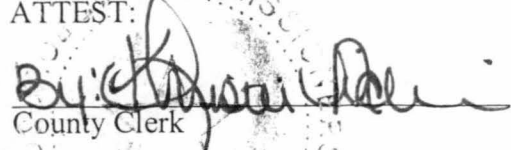
WHEREAS, undermining a property tax system based upon fair market value is questionable public policy and will result in a distorted, inequitable taxation scheme under which identical homes could be taxed at vastly different amounts; and

WHEREAS, it would be inequitable for the Texas Legislature to impose additional revenue caps on local governments without imposing similar caps on state government and repealing and prohibiting state unfunded mandates;

NOW THEREFORE, BE IT RESOLVED that the Commissioners Court of Polk County, Texas does hereby express its opposition to efforts to limit local control and does hereby oppose any attempts to impose revenue caps or appraisal caps upon Texas counties, and the Commissioners Court of Polk County, Texas expresses its deep appreciation to all legislators who oppose these unsound measures.

Adopted this 13<sup>th</sup> day of September, 2016.

  
\_\_\_\_\_  
Sydney Murphy, County Judge

ATTEST:  
  
County Clerk

(SEAL)  


STATE OF TEXAS     §  
                                  §  
COUNTY OF POLK    §

**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, 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 including financial commitments by a county to expend county funds in connection therewith; and

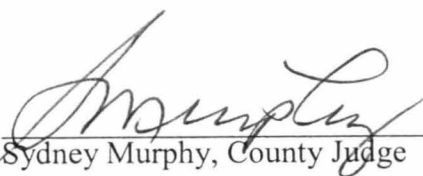
**WHEREAS**, during each regular session of the Texas Legislature, all state funds that support county programs are reviewed through the state appropriation process and by other budgetary review systems; and



**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 Commissioners Court of Polk County, Texas does 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.

Adopted this 13<sup>th</sup> day of September, 2016.

  
\_\_\_\_\_  
Sydney Murphy, County Judge

ATTEST:   
County Clerk  
  
(SEAL)