



Legislative Agenda
For the
83rd Session
Of the
Texas Legislature

Adopted by order of Commissioners Court on October 1, 2012 with amendments on December 10, 2012

This document identifies the issues that El Paso County will pursue during the 83rd Legislative session. Given the financial challenges facing the state, the County tailored its agenda toward issues that promote efficiency and support its strategic plan. The organization of the agenda is consistent with the County's focus areas of public safety, justice, health, welfare and quality of life, administration, infrastructure, mobility and community and economic development.

The County, working with its Legislative Delegation, seeks legislation to improve operations, relieve the local taxpayer of increasing burdens, or address issues that threaten a safe and healthy quality of life.

Public Safety and Mobility

- Photographic Traffic Signal-Transportation Code, Title 7 Subtitle I Chapter 707- Support the expansion of this system to include a camera system and vehicle sensors at railroad crossings as another tool to reduce the number of vehicles that circumvent railroad stops.

Justice

- Support the simplification of Criminal Court Costs for more efficient administration but oppose any change within this process that re-directs or reduces revenue currently available to local governments. Texas Administrative Code Title 1 Administration Part 8 Texas Judicial Council Chapter 175.
- Support an increase in the court costs imposed on conviction of a felony offense in a district court or a misdemeanor offense in a county court, county court at law justice court or district court and deposited to a courthouse security fund to cover the costs of courthouse security, which increase each year without any corresponding relief in available revenue. Code of Criminal Procedure Articles 102.017 (a) and (b) Government Code Chapter 102 Court Costs in Criminal Proceedings and Government Code Section 102.041 Additional Court Costs on Conviction in District Court, Section 102.101 Justice Court, Section 102.121 Municipal Court: Code of Criminal Procedure
- Support the ability of arbitrators in certain cases to administer oaths and issue subpoenas for attendance of witnesses and for the production of documentary material and other things. This change allows any party in an arbitration conducted pursuant to the terms of a collective bargaining agreement to request the arbitrator to issue a subpoena and subpoena *duces tecum* for attendance of witnesses and materials relevant to the dispute and provides for a fine for a failure to comply. Local Government Code Title 5 Matters Affecting Public Officers and Employees Chapter 174

- Support a revision to the Public Information Act to redact vehicle identification numbers without an Attorney General's open records decision. Texas Government Code Section 552.130 (Included with Conference of Urban Counties County Efficiency Act of 2013)
- Amend the Code of Criminal Procedure 49.25 section 11 to clarify that no Attorney General request is necessary to withhold autopsy photographs and autopsy x-rays except through release exceptions created by the Health and Safety Code, Article 671.013 or Section 11 of Article 49.25 of the Code of Criminal Procedure.
- Support the full availability of all funds collected under Section 22.2091 to Chapter 22 of the Texas Government Code authorizing a \$5 fee for each civil suit filed in a county court, county court at law, statutory probate court or district court in the county for the establishment of an appellate judicial system for the Eighth Court of Appeals.
- Amend Section 152.0771 of the Texas Human Resources Code related to the composition of the El Paso County Juvenile Board to authorize the service of the County Judge or the Judge's designated member of the Commissioners or the Judge's designee approved by the Commissioners Court to serve as a member of the El Paso County Juvenile Board.

Health and Welfare

- Support an expansion of the state Medicaid program as provided by the federal Affordable Care Act to those lawfully residing, non-elderly citizens at 133 percent of the poverty line to reduce the number of uninsured individuals whose medical care might otherwise fall to local resources.
- Support an amendment to existing legislation to increase the accountability of Emergency Service Districts in El Paso County by providing Commissioners Court with oversight responsibilities similar to those exercised by the Court over the County's hospital district. Health and Safety Code, Section 775.082(a-f)
- Support the Emergence Health Network legislative agenda especially elements that promote adequate funding for services to persons with mental illness or intellectual disabilities.

Administration

- Support amendments to ethics legislation that created the El Paso County Ethics Commission to make it clear that a review officer may be a member of the Ethics Commission as long as the individual has met other statutory requirements of being a review officer and that clarifies the timeline for a reply to an initial written notice of complaint. Chapter 161.1551 Local Government Code.

- Clarify that a physician licensed in another state but not licensed by the State Board of Medical Examiners may perform the duties of the office of medical examiner until licensed in Texas. Code of Criminal Procedure, Title 1, Chapter 49, Subchapter B Section 2 Appointments and Qualifications
- Authorize the use of electronic postings in combination with the publication of a notice of a proposed purchase in a newspaper of general circulation for competitive bidding notices to increase transparency and reduce the cost of this function to local governments. Texas Local Government Code, Chapter 262.025
- Support the Texas County and District Retirement System (TCDRS) and any other public retirement system that is a prudently and conservatively structured defined contribution pension plan that provides flexibility and local control.
- Support the County Efficiency Act of 2013- Support a Conference of Urban Counties proposal to roll several initiatives into a bill that benefits counties. This is based on SB 1233 passed in the 82nd Legislative Session to promote the efficiencies in the administration of certain county services and functions. This included El Paso County initiatives such as allowing a jailer licensed under Chapter 1701 to execute lawful process

Community and Economic Development

- Support granting certain counties regulatory authority around military facilities in certain circumstances to prevent unnecessary encroachment on military installations or the creation of incompatible land use or otherwise interfere with the military's capacity to sustain its mission. Local Government Code, Chapter 231
- Support granting El Paso County regulatory authority around the Guadalupe/Tornillo Port of Entry in certain circumstances to prevent unnecessary encroachment or the creation of incompatible land use in the area adjacent to the enhanced port of entry. Local Government Code, Chapter 231
- Create one or more mechanisms by which to accept fractionalized land parcels in the Horizon area and to return land to the market in a more useful, market-friendly, and economically beneficial manner, possibly using authority granted under Article III Section 52-a and Article XVI Section 59 of the Texas Constitution.
- Expand opportunities for economic development in the County's historic San Elizario District by incorporating provisions of Chapter 381 of the Local Governments Code with Texas Local Government Code, Title 7, Subtitle B Subchapter I, Zoning and other Regulation in the El Paso Mission Trail Historical Area to enable the use of tax abatement agreements to stimulate, encourage and develop compatible business and commercial activity in this area.