

**COMMISSIONERS COURT
RESOLUTION & ORDER**

A RESOLUTION OF THE COMMISSIONERS COURT OF EL PASO COUNTY, TEXAS, prohibiting handgun license holders from carrying handguns into the County Courthouse and other County buildings located in El Paso County being utilized by the courts.

WHEREAS, in 2015 the Texas Legislature enacted HB 910, 84th RS, effective January 1, 2016, authorizing handgun license holders to openly carry handguns secured in shoulder or belt holsters in the State of Texas to include in government buildings and on government property with limited exceptions contained in the Texas Penal Code §46.03 and 46.035; and

WHEREAS, one of the exceptions in Texas Penal Code §46.03 is the premises of any government court or offices utilized by the court; and

WHEREAS, the Attorney General has opined in KP-0047 that the responsible authority may determine which courtrooms and offices are utilized by the courts and are essential to the operation of the court; and

WHEREAS, the Commissioners Court is the authority responsible for issuing regulations governing the use of county buildings and the assignment of space in county buildings; and

WHEREAS, the Council of Judges for El Paso County is the authority responsible for determining which courtrooms and offices are utilized by the courts; and

WHEREAS, pursuant to resolution, the Council of Judges has established that all floors of the courthouse contain courtrooms or offices utilized by the courts, and are thus, essential to the operation of the courts. Further, the Council of Judges has further established that some offices in other County buildings are utilized by the courts, and are thus, essential to the operation of the courts. Specifically the Council of Judges has determined the offices and all areas surrounding those offices listed in Addendum A are utilized by the courts, and are thus, essential to the operation of the courts. (See Addendum A); and

WHEREAS, the El Paso County Sheriff's Office has conducted a security analysis and determined that the only way to effectively screen for weapons in all of the courtrooms and offices utilized by the courts in the courthouse is to screen at the main entrances to the courthouse located on the first and third floors of the courthouse.

NOW, THEREFORE BE IT RESOLVED BY THE COMMISSIONERS COURT OF EL PASO COUNTY, TEXAS, AFTER CONSULTATION WITH THE EL PASO COUNTY COUNCIL OF JUDGES:

1. The Commissioners Court believes the findings and recitations set out in the Council of Judges' resolution are true and correct, and they are hereby adopted by the El Paso County Commissioners Court and made a part hereof for all purposes.
2. The Commissioners Court believes the conclusions reached in the Sheriff's security analysis are true and correct, and they are hereby adopted by the El Paso County Commissioners Court and made a part hereof for all purposes.
3. The Commissioners Court, by this resolution, finds that all the locations listed in Addendum A are utilized by the court, and are thus, essential to the operation of the courts.
4. The Commissioners Court, by this resolution, finds that the locations in the courthouse listed in Attachment A can only be effectively screened for weapons by screening at the main entries of the courthouse located on the first and third floors of the courthouse.
5. Thus, the Commissioners Court, by this resolution, hereby prohibits persons from entering the courthouse with a handgun regardless of whether the person has a license to carry a handgun issued by the State of Texas. This prohibition does not apply to persons excepted from the application of Texas Penal Code §46.03 under Texas Penal Code §46.15(a), except to the extent the person is a County employee prohibited from carrying a weapon pursuant to County policy.
6. Further, the Commissioners Court, by this resolution, hereby prohibits persons from entering the offices in other County buildings listed in Addendum A with a handgun regardless of whether the person has a license to carry a handgun issued by the State of Texas. This prohibition does not apply to persons excepted from the application of Texas Penal Code §46.03 under Texas Penal Code §46.15(a), except to the extent the person is a County employee prohibited from carrying a weapon pursuant to County policy.
7. The El Paso County Commissioners Court, by this resolution, authorizes the posting of the notice required by Texas Penal Code §30.06 and §30.07 at the main entrances of the courthouse and the entrances of offices in the other county buildings listed in Addendum A.

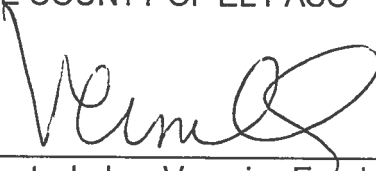
ADOPTED AND APPROVED THIS THE 25th DAY JANUARY, 2016.

ATTEST:

THE COUNTY OF EL PASO



County Clerk, Delia Briones

By 

County Judge, Veronica Escobar


APPROVED AS TO FORM



Assistant County Attorney

FILED FOR RECORD
IN MY OFFICE

2016 JAN 26 A 11: 24



COUNTY CLERK
EL PASO COUNTY, TEXAS

RESOLUTION

A RESOLUTION OF THE COUNCIL OF JUDGES OF EL PASO COUNTY, TEXAS, regarding courtrooms and offices utilized by the courts, and thus, essential to the operation of the government court affected by HB 910 84th RS.

WHEREAS, in 2015 the Texas Legislature enacted HB 910, 84th RS, effective January 1, 2016, authorizing handgun license holders to openly carry handguns secured in shoulder or belt holsters in the State of Texas to include in government buildings and on government property with limited exceptions contained in the Texas Penal Code §46.03 and 46.035; and

WHEREAS, one of the exceptions in Texas Penal Code §46.03 is the premises of any government court or offices utilized by the court; and

WHEREAS, the Attorney General has opined in KP-0047 that the responsible authority may determine which courtrooms and offices are utilized by the courts and are thus essential to the operation of the court; and

WHEREAS, the Council of Judges for El Paso County is the authority responsible for determining which courtrooms and offices are utilized and essential to the operation of the courts; and

WHEREAS, pursuant to resolution, the Council of Judges has established that all floors of the courthouse contain courtrooms or offices utilized by the courts, and are thus, essential to the operation of the courts. Further, the Council of Judges has further established that some offices in other County buildings are utilized by the courts, and are thus, essential to the operation of the courts. Specifically the Council of Judges has determined the offices and all areas surrounding those offices listed in Addendum A are utilized by the courts, and are thus, essential to the operation of the courts. (See Addendum A); and

NOW, THEREFORE BE IT RESOLVED BY THE COUNCIL OF JUDGES OF EL PASO COUNTY, TEXAS:

1. The Council of Judges believes the findings and recitations set out in the resolution are true and correct, and they are hereby adopted by the El Paso Council of Judges and made a part hereof for all purposes.
2. The Council of Judges, by this resolution, finds that all the locations listed in Addendum A are utilized by the court, and are thus, essential to the operation of the courts.

3. Thus, the Council of Judges, by this resolution, hereby resolves that the courtrooms and offices listed in Addendum A are subject to Texas Penal Code §46.03 and §46.035, and request commissioners court and the Sheriff's Office to take appropriate measures to prohibit licensed handgun holders from entering these locations with handguns.

ADOPTED AND APPROVED THIS THE 14 DAY OF Jan, 2016.

ATTEST:

Delia Briones
County Clerk, Delia Briones

THE COUNTY OF EL PASO

By Alma Trejo
Presiding Judge, Alma Trejo

APPROVED AS TO FORM

Walt C. F. Ho
Assistant County Attorney

FILED FOR RECORD
IN MY OFFICE

2016 JAN 15 A 11:09

Delia Briones
COUNTY CLERK
EL PASO COUNTY, TEXAS

ATTACHMENT A

County Courthouse Floors	Courtroom	Office	Essential Court Use
1 st	None	District & County Clerk Financial Recovery/Court Collections Council of Judges Security Office	Yes Judges, Witnesses, Defendants, Prosecutors, Defense Attorneys, Supervision Officers, Clerks and Jurors all use this floor.
2 nd	None	District Attorney	Yes Judges, Witnesses, Defendants, Prosecutors, Defense Attorneys, Clerks and Supervision Officers all use this floor.
3 rd	JP3	County Administration Budget Commissioners Courtroom Commissioners Court Offices/Conference Rooms CASA JP3 Constable 3 ITD Office	Yes Judges, Witnesses, Defendants, Prosecutors, Defense Attorneys, Supervision Officers, Clerks and Jurors all use this floor.
4 th	Probate Court 2 409 th District Court 448 th District court County Criminal Court#3 Criminal District Court#1	Probate Court 2 409 th District Court 448 th District court County Criminal Court #3 Criminal District Court #1 Misc. Offices used by Clerks, Probation, Witnesses	Yes Judges, Witnesses, Defendants, Prosecutors, Defense Attorneys, Supervision Officers, Clerks and Jurors all use this floor.
5 th	None	County Attorney Public Defender	Yes Judges, Witnesses, Defendants, Prosecutors, Defense Attorneys, Supervision Officers, Clerks and Jurors all use this floor.
6 th	120 th District Court 168 th District Court 171 st District Court 327 th District Court 383 rd AG Court 383 rd AG Court	120 th District Court 168 th District Court 171 st District Court 327 th District Court 383 rd AG Court 383 rd AG Court Misc. Offices used by Clerks, Probation, Witnesses	Yes Judges, Witnesses, Defendants, Prosecutors, Defense Attorneys, Supervision Officers, Clerks and Jurors all use this floor.
7 th	County Criminal Court #1 County Criminal Court #2 County Criminal Court #4 346 th District Court Extra Courtroom	County Criminal Court #1 County Criminal Court #2 County Criminal Court #4 346 th District Court Misc. Offices used by Clerks, Probation, Witnesses	Yes Judges, Witnesses, Defendants, Prosecutors, Defense Attorneys, Supervision Officers, Clerks and Jurors all use this floor.

8 th	County Court #1 County Court #2 County Court#4 County Court#5 Probate Court #1	County Court #1 County Court #2 County Court#4 County Court#5 Probate Court #1 Misc. Offices used by Clerks, Probation, Witnesses	Yes Judges, Witnesses, Defendants, Prosecutors, Defense Attorneys, Supervision Officers, Clerks and Jurors all use this floor.
9 th	34 th District Court 388 th District Court Associate Family Court 243 rd District Court 384 th District Court Jury Duty Court	34 th District Court 388 th District Court Associate Family Court 243 rd District Court 384 th District Court Jury Duty Court Misc. Offices used by Clerks, Probation, Witnesses	Yes Judges, Witnesses, Defendants, Prosecutors, Defense Attorneys, and Supervision Officers, Clerks and Jurors all use this floor.
10 th	County Court #3 41 st District Court 65 th Family Court 205 th District Court 210 th District Court Associate Family Court	County Court #3 41 st District Court 65 th Family Court 205 th District Court 210 th District Court Associate Family Court Misc. Offices used by Clerks, Probation, Witnesses	Yes Judges, Witnesses, Defendants, Prosecutors, Defense Attorneys, Supervision Officers, Clerks and Jurors all use this floor.
11 th	County Court #6 65 th District Court 383 rd District Court Associate Family Courts	County Court #6 65 th District Court 383 rd District Court Associate Family Courts Misc. Offices used by Clerks, Probation, Witnesses	Yes Judges, Witnesses, Defendants, Prosecutors, Defense Attorneys, and Supervision Officers, Clerks and Jurors all use this floor.
12 th	8 th Court of Appeals Ceremonial Court/ CC#7	8 th Court of Appeals Ceremonial Court/CC#7 Library Misc. Offices used by Clerks, Probation, Witnesses	Yes Justices, Judges, Witnesses, Defendants, Prosecutors, Defense Attorneys, Supervision Officers, Clerks and Jurors all use this floor.
Lower Level	None	DRO Cafeteria/ Jury Dining Room County Court Administration Mail Room State Bar Office Council of Judges Conference Room Public Defenders Offices Financial Recovery Court Collections Criminal Justice Coordination Communications	Yes Judges, Witnesses, Defendants, Prosecutors, Defense Attorneys, Supervision Officers, Clerks and Jurors all use this floor.
Annex Property Location	Courtroom	Offices	Essential Court Use
Northwest Annex 435 Vinton Road	JP7	JP7 Constable El Paso County Community Supervision and Corrections Dept. Community Center Sheriff	Yes Judges, Witnesses, Defendants, Prosecutors, Defense Attorneys, and Supervision Officers
Ysleta Annex Bldg A	None		Yes

9521 Socorro Rd		County Clerk County Attorney	Witnesses, Defendants, Prosecutors, Defense Attorneys and Clerks
Ysleta Annex Bldg B 9521 Socorro Rd	JP5	El Paso County Community Supervision and Corrections Dept. Constable Sheriff General Assistance/Veterans Assistance	Yes Judges, Witnesses, Defendants, Prosecutors, Defense Attorneys, and Supervision Officers
Northeast Annex 4641 Cohen	JP2	JP2 Constable County Clerk El Paso County Community Supervision and Corrections Dept. GAVA County Attorney	Yes Judges, Witnesses, Defendants, Prosecutors, Defense Attorneys, Clerks and Supervision Officers
Mission Valley Annex 190 San Elizario Rd.	JP6	Constable Sheriff County Clerk	Yes Judges, Witnesses, Defendants, Prosecutors, Defense Attorneys, Clerks
Eastside Annex 2350 George Dieter	JP4	JP4 El Paso County Community Supervision and Corrections Dept. County Clerk Constable Sheriff	Yes Judges, Witnesses, Defendants, Prosecutors, Defense Attorneys, Clerks and Supervision Officers
MDR 810 E. Overland	None for the County	Pre Trial Services El Paso County Community Supervision and Corrections Dept. ITD Auditor Human Resources Purchasing Archives	Yes Defendants, Defense Attorneys, and Supervision Officers
Liberty Hall 200 S. Kansas	None	Juror Services	Yes Jurors
El Paso County Community Supervision and Corrections Dept.	Courtroom-None	All Offices	Essential Court Use
Northwest-435 VINTON ROAD 79821 Northeast-4641 COHEN AVE STE. C 79924 Eastside-2350 George Dieter Dr. Suite C Ysleta-9521 SOCORRO RD BLDG A-4 Special Programs-7145 INDUSTRIAL BHRTC-3700 MATTOX Training Center-1015 N. Campbell Downtown-800 E. Overland			Yes Supervision Officers and Defendants