

## Commissioners Court Budgetary Responsibility

**WHEREAS**, the Texas Constitution was carefully drafted to divide governmental powers between the legislative, executive, and judicial branches; and

**WHEREAS**, the Commissioners Court is constitutionally and statutorily charged with the responsibility to determine the county budget and the funding necessary for county departments; and

**WHEREAS**, Texas statutes, including the Texas Local Government Code and the Texas Government Code, provide an orderly process for the creation and compensation of county employees, including judicial department positions; and


**WHEREAS**, Senate Bill 1913 (codified as Section 75.401, Government Code) maintains the proper constitutional separation of powers, securing necessary staff for the judiciary while preserving the authority of the Commissioners Court to determine the creation and compensation of county positions through the budget; and

**WHEREAS**, the Commissioners Court of Galveston County has properly implemented the provisions of S.B. 1913 in the county budget; and

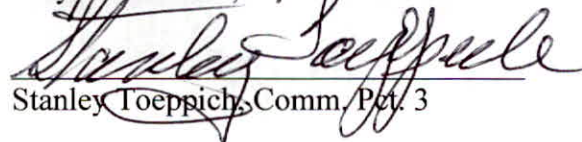
**WHEREAS**, certain members of the judiciary have refused to acknowledge the constitutional responsibility of the Commissioners Court and continue to litigate this matter; now

**THEREFORE**, be it Resolved that the County Judges and Commissioners Association of Texas and the Mason County Commissioners Court does hereby urge that all parties recognize the proper budgetary responsibility of the Commissioners Court to determine the creation and compensation of county positions and implement the provisions of S.B. 1913 without further delay or litigation.


Read and adopted on this 26<sup>th</sup> day of October, 2015.

  
\_\_\_\_\_  
Jerry Bearden, Mason County Judge

  
\_\_\_\_\_  
Wayne Hofmann, Comm. Pct. 1

  
\_\_\_\_\_  
Stanley Toeppich, Comm. Pct. 3

\_\_\_\_\_  
Wilburn Frey, Comm. Pct. 2

  
\_\_\_\_\_  
Stephen Mutschink, Pct. 4