

CITY CLERK DEPT.

2015 MAR 11 AM 7:56

**A RESOLUTION OF THE CITY OF EL PASO, TEXAS, OPPOSING
SENATE BILL 343 AND ANY OTHER LEGISLATION WHICH
WOULD ERODE THE AUTHORITY OF A HOME RULE
MUNICIPALITY.**

WHEREAS, the people of Texas decided in 1912 that centralized, big government is not the way to go and they adopted a constitutional amendment affirming Texas' commitment to local decision making;

WHEREAS, the Texas Constitution, in Article XI, Section 5, authorizes cities over 5,000 population to adopt by election a home rule charter, which charter grants the citizens of that city the power of self-government;

WHEREAS, home rule cities can regulate however they choose, so long as they are not preempted by state or federal law and a home rule charter grants the citizens of the city the power of self-government and local control;

WHEREAS, the people of the City of El Paso adopted its Home Rule Charter in 1984;

WHEREAS, Senate Bill 343 by Senator Don Huffines (84th Texas Legislative Session) would upend the relationship between Texas cities and state government by causing the voters and elected officials of the City of El Paso to get the Texas state legislature's permission to enact any local ordinance;

WHEREAS, Senate Bill 343 would affect many current home rule regulations and ordinances of the City of El Paso including sex offender residency restrictions, texting while driving limitations, no smoking ordinances, and payday lender regulations; and

WHEREAS, current law balances cities' authority to enact reasonable regulations to protect health, safety, quality of life, and property values while ensuring that the will of local voters is heard and that our state's economy remains vibrant.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF EL PASO:

That the City of El Paso supports the citizens of El Paso's constitutional right for self-government and local control and strongly opposes Senate Bill 343 and any legislation that would erode the authority of a home rule municipality during any regular or special session of the 84th Session of the Texas Legislature.

PASSED AND APPROVED by the City of El Paso this _____ day of March, 2015.

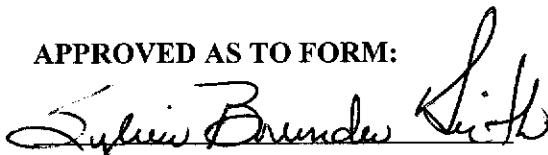
THE CITY OF EL PASO:

Oscar Leaser
Mayor

ATTEST:

Richarda Duffy Momsen
City Clerk

APPROVED AS TO FORM:


Sylvia Borunda Firth
City Attorney

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