



Statement to Senate Finance Committee
by Bruce Elfant,
Travis County Constable and Vice President, Texas Association of Counties
March 21, 2011

Mr. Chairman, members. My name is Bruce Elfant. I am a Travis County Constable and Vice President of the Texas Association of Counties who I am representing today in opposition to SB 720.

I have worked for Travis County for 25 years and have seen first hand the difficult choices that city councils and commissioner's courts have to make every year. Let me assure you that when it comes to adopting budgets and setting tax rates, local officials *are* fiscally conservative with their taxpayers' money.

The biggest challenge for local officials is that they have little control over growth, demand for services or paying for state mandates.

For many counties in the fastest growing state in the nation, their main challenge is keeping up with growth. A handful of counties including Williamson, Ft. Bend, Denton and Collin have all increased population by more than 50% since 2000. Those counties are struggling to add enough roads, jail cells, courtrooms, treatment beds, and other services to keep up with rapid growth.

During bad economic times when demands for services tend to spike is when local governments are expected to kick into overdrive. The impact of people losing their jobs and health insurance adds a real strain to already overburdened social services agencies. While local officials may be forced to let the lines for services to grow longer they cannot and will not refuse to provide basic services to people in need.

Recessions also tend to result in an increase in crime including domestic violence and child abuse. State law requires and the public rightfully expects local governments to also respond to increased law enforcement challenges.

On top of these responsibilities, local governments are required to fund hundreds of millions of dollars in unfunded mandates. Just a few examples include the Fair Defense Act that since 2001, has required counties to fund 85% of the nearly \$200M spent for indigent defense, \$500M since 2000 to house blue warrant inmates in county jails and more than \$8M in costs for witnesses and visiting judges.

Additionally, many state fees intended to cover County costs for providing services no longer do so. One example is the \$50 warrant fee for the execution of criminal warrants that has not been increased since 1999 and costs local property taxpayers millions of dollars. Harris County estimates that this alone costs their taxpayers about \$4M per year.

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These obligations make it much harder for local governments to adequately fund discretionary items that citizens *a/so* demand like libraries, parks, and roads and does anyone really believe that Austin and Travis County have been able to keep up with the demand for roads?

During tough times some counties delay maintenance of infrastructure and vehicle replacement, draw down their reserves and borrow more, all in order to avoid raising taxes. These tactics may well avert tax increases in the short term but certainly cost tax payers more in the long run and could harm their bond ratings.

Current law provides for an 8% revenue cap, multiple publishing of proposed tax increases and two public hearings. Local officials, who would attempt to raise taxes too high, or cut services too much, will have to explain their decisions to the voters and we know from recent elections, that voters can be pretty unforgiving. SB 720 would further erode local control for local officials and restrict their options during very difficult times.

Cities and counties are doing some amazing things to make tax dollars go farther. You can be assured that County officials will continue to work with our state and local colleagues further streamline the delivery of local services.

Thank you.