# 3 Local Governments

## Learning Objectives

**3.1** Explain the relationships that exist between a local government and other governments, including national, state, and other local governments.

**3.2** Describe the forms of municipal government organization.

**3.3** Identify the rules and social issues that shape local government outcomes.

**3.4** Analyze the structure and responsibilities of counties.

**3.5** Explain the functions of special districts and their importance to the greater community.

**3.6** Discuss the ways that local governments deal with metropolitan-wide and regional issues.

**Image 3.1** **The overwhelming majority of Texans live in metropolitan areas such as El Paso, pictured here. They and their rural neighbors depend heavily on local governments for a multitude of services affecting their daily lives.**

Sean Pavone/Shutterstock.com

Competency Connection

**Critical Thinking**

How has local government affected your life? (You may want to revisit this question after reading the chapter.)

When Texans think about government, most think about the national or state government, but not about the many local governments. Yet of all three levels of government, local government has the greatest impact on people's daily lives. Most people drive every day on city streets or county roads, drink water provided by the city or a special district, attend schools run by the local school district, play in a city or county park, eat in restaurants inspected by city health officials, and live in houses or apartments that required city permits and inspections to build.

All governments, including local, involve both cooperation and conflict. Many residents' contacts with local governments are positive. Potholes are filled, trash is picked up, ball fields are groomed for games—but other experiences are negative. Streets and freeways are increasingly congested, many schools are overcrowded, and the property taxes to support them seem high. In addition, people of goodwill often disagree about public policy, for example, putting money into freeways or public transportation, the amount and use of standardized testing in schools, and where to locate public housing.

Commonly, the sharpest divisions in Texas local government are between central cities, suburbs, and small town/rural Texas. In urban areas, local governments face a growing list of demands for more and better traditional services (such as streets and safety) and newer services (such as skate parks, public housing, and pre-kindergarten). Many needs, such as transportation and hospital access, cross government boundaries. Central cities and their suburbs often fight over what kinds of services are needed and who will pay for them. Suburbanites, for example, tend to prefer more freeways, while central city residents often want more public transportation. Many rural Texans prefer that government provide only the most minimal services, regulate little, and collect few taxes. But even they want roads maintained, a good education for their kids, and safety for their families and businesses.

A common problem facing almost all local governments is that there is not enough money to satisfy all the demands people make. Tax revenue doesn't grow as fast as demands, and the state and national governments have been relatively stingy. The fluctuation in oil prices during 2014–24 and the recession and inflation caused by the COVID-19 pandemic added to the financial woes of local governments. The result is that local governments have had to limit services and go heavily into debt. For years, local governments in Texas have had one of the highest per capita debt levels among the 50 states, while Texas state government's per capita debt has been among the lowest. (Refer to "How Do We Compare," page 110.)

To confront problems successfully and make local governments more responsive to our needs, we have to understand how these governments are organized and work. The organization of governments is important because it affects who has influence over what the government does and how efficiently it works. Local government comes in many forms. Texas has municipalities (1,225 cities, towns, and villages), counties (254), and special districts (about 4,200). The special district that most students know best is the school district (1,209), but there are other special districts for water, hospitals, conservation, housing, and a multitude

of other services (around 3,000). Each local government covers a certain geographic area and has legal authority to carry out one or more government functions. Most collect revenue such as taxes or fees, spend money to provide services, and are controlled by officials ultimately responsible to voters. These local, or **grassroots**, governments affect our lives directly.

# Local Politics in Context

**LO 3.1** Explain the relationships that exist between a local government and other governments, including national, state, and other local governments.

Local government and politics are greatly affected by the context within which they operate—the federal system. In Texas and elsewhere, local governments were created by the state, and what they do is often shaped by the actions of other governments—national, state, and local.

## Local Governments and Federalism

The degree to which local governments operate in a federal system is illustrated by the 2022 shooting at Robb Elementary in Uvalde that killed 19 children and 2 teachers. The majority of the 376 police responding to the shooting were federal and state. Others came from neighboring counties, the Uvalde county sheriff's office, Uvalde city police, and the school district's police. Afterward, residents received some assistance from state and federal agencies as well as private donations. When the school district's police chief was fired for failure to act quickly to stop the shooter, he appealed to a state agency and had his discharge status changed. Residents felt frustrated in their efforts to gain information about the shooting from the state and to change state law that allowed the troubled 18-year-old to be heavily armed.

In the nineteenth century, two opposing views emerged concerning the powers of local governments. **Dillon's Rule**, named after federal judge John F. Dillon and still followed in most states (including Texas), dictates that local governments have only those powers granted by the state government, those powers implied in state grants, and those powers indispensable to their functioning.[1] The opposing Cooley Doctrine, named after Michigan judge Thomas M. Cooley and followed in 10 states, says "Local Government is a matter of absolute right; and the state may not take it away."[2]

**grassroots**
Local (as in grassroots government or grassroots politics).

**Dillon's Rule**
A legal principle, still followed in the majority of states including Texas, that local governments have only those powers granted by their state government.

Texas's local governments, like those of other states, are at the bottom rung of the governmental ladder, which makes them politically and legally weaker than the state and federal governments. In addition, Texas is among those states that more strictly follow Dillon's Rule.[3] Cities, counties, and special district governments are creatures of the State of Texas. They are created through state laws and the Texas constitution, and they make decisions permitted or required by the state. Local governments may receive part of their money from the state or

national government, and they must obey the laws and constitutions of both. The influence of the national government over Texas's local governments is significant in some areas, such as nondiscrimination, rights of the accused, and the environment, but the federal government's influence is far smaller than that of the state.

States often complain about unfunded mandates (requirements placed on states by the federal government without federal money to pay the costs). Local governments face mandates from both the national and state governments. Some of these mandates are funded by the higher levels of government, but some are not. Examples of mandates at the local level are as diverse as improving the quality of the air, providing access for people with disabilities (both federal mandates), meeting state jail standards, and prohibiting cities from banning plastic grocery bags (state mandates). In recent years, state officials regularly overrode specific local policies. In a major escalation in 2023, the Legislature prohibited cities and counties going beyond state law in eight broad policy areas, such as labor, finance, and environment. For more discussion, refer to the Point/Counterpoint discussion, page 100.

Both the national and state governments provide funds to local governments, sometimes to assist and other times to encourage adoption of certain policies. Threats to withhold aid are also used. In Texas, the state government commonly provides one-fourth of local government general revenue; however, there is great variation. Cities get around 2 percent, while school districts average over 30 percent. State agencies also often receive federal funds to distribute to local governments, which they may use for leverage over local officials. Federal assistance is a major part of Texas state government revenue (commonly around one-third of general revenue) but a small part of local government funding (3 percent, and much of that for schools and, in recent years, medical care).

In times of natural disaster, Texas often turns to the national government for help. From 1953 through 2024, Texas led the nation in the number of federally declared disasters (376) and major disasters (105), mostly from wind, floods, droughts, and fire, plus the COVID-19 pandemic.[4] Getting federal help requires a great deal of interaction between the three layers of government. Formally, the governor asks for a declaration of disaster, supported in practice by other state and local leaders. If a declaration is made, the Federal Emergency Management Agency (FEMA) can provide some funds, but if the damage is great, local and state leaders will lobby Congress for additional funding (and try to raise money locally).

The response to Hurricane Harvey illustrates the process. Harvey hit Houston and the Texas Gulf Coast in August 2017. A federal aid package was quickly put together, followed over the next half year by two more, with members of Congress from Texas playing a major role. However, two sets of problems quickly became apparent. First, while federal aid totaled $28 billion,[5] Harvey had done $125 billion in damage. Most individuals recovered only part of their losses. Others were turned down for aid. Second, the distribution of the money by federal, state, and local agencies was slow. Seven years after Harvey, only 15 of the $28 billion allocated had been spent. The federal General Accounting Office criticized both national and Texas agencies for weak procedures and slowness in

providing aid. Help was also slowed by conflict between the state's General Land Office (GLO) and local governments. For example, using federal money, home repairs were to be assisted by the City of Houston within its boundaries, by Harris County in the remainder of the county, and by the GLO in the rest of the Gulf Coast. However, disputes including the speed of work led to the GLO demanding to take over the entire program. In 2020, Harris County ceded its program to the GLO, which successfully sued Houston to take its program as well.

At the local level, federalism is more than just dealing with the state and national governments. Local governments have to deal with each other as well. Texas has almost 5,800 local governments. Bexar County (home of San Antonio) has 77 local governments, Dallas County has 67, and Travis County (Austin) has 153. The territories of local governments often overlap. Your home, for example, may be within a county, a municipality, a school district, a community college district, and a hospital district—all of which collect taxes, provide services, and hold elections.

Local governments generally treat each other as friends but occasionally act as adversaries. For example, the city of Houston and Harris County worked together, as well as with state and national officials, to respond to Hurricanes Katrina, Rita, Ike, and Harvey. On the other hand, in May 2024, the relationship of the Harris County judge and Houston's new mayor in responding to a deadly storm was described by the press as testy and awkward. Other examples of local conflict include threatening or actually filing a lawsuit and, in one case, cutting off a district's water supply. Clearly, federalism and the resulting relationships between and among governments (**intergovernmental relations**) are important to how local governments work. For more on federalism, refer to Chapter 2.

## Grassroots Challenges

Local governments face a multitude of challenges. Almost 85 percent of all Texans reside in cities and towns, and they have concerns they want addressed: fear of crime and, recently, the role of police; decaying infrastructure, such as streets and bridges; controversies over public schools; and health care.

Texas cities are also becoming increasingly diverse, with more Black and Latino Texans now seeking access to public services and local power structures long dominated by White leaders. Making sure that all communities receive equal access to public services is a key challenge for grassroots-level policy makers and community activists. Opportunities to participate in local politics begin with registering and then voting in local elections. (Refer to Chapter 5, "Elections and Voter Participation," for voter qualifications and registration requirements in Texas.) Some individuals will decide to run for city council, county commissioners court, school board, or other local policy-making bodies. Others volunteer to serve on appointed advisory boards that make recommendations to the elected board. However, having an impact doesn't require seeking or holding office. Additional opportunities include homeowners' or neighborhood associations, community or issue-oriented organizations, voter registration drives, election campaign work, speaking at hearings, and volunteer work with community

**intergovernmental relations**
Relationships between and among different governments that are on the same or different levels.

groups. Internships provide work experience while building contacts and knowledge of the process. By gaining influence in city halls, county courthouses, and special district offices, individuals and groups are in a better position to address grassroots problems.

Grassroots government faces the challenge of widespread voter apathy. Frequently, fewer than 10 percent of a community's qualified voters participate in a local election. The good news is that involvement increases when people understand that they can deal with problems in Texas through participation.

**✓ 3.1 Learning Check**

1. Do local governments have more flexibility to make their own decisions under Dillon's Rule or the Cooley Doctrine? Which one does Texas follow?
2. Are intergovernmental relations marked by conflict, cooperation, or both?

Answers at the end of this chapter.

# Municipal Governments

**LO 3.2** Describe the forms of municipal government organization.

Perhaps no Texas government influences the daily lives of people more than **municipal (city) government**. Whether taxing residents, making arrests, collecting garbage, transporting water and sewage, providing libraries and parks, regulating construction and restaurants, or repairing streets, municipalities determine how millions of Texans live. Knowing how and why public policies are made at city hall requires an understanding of the organizational and legal framework within which municipalities function.

## Legal Status of Municipalities

City government powers are outlined and restricted by municipal charters, state and national constitutions, and statutes (laws). Texas has two legal classifications of cities: **general-law cities** and **home-rule cities**. A community with a population of 201 or more may become a general-law city by adopting a charter prescribed by a general law enacted by the Texas Legislature.[6] A city of more than 5,000 people may be incorporated as a home-rule city, with a locally drafted charter adopted, amended, or repealed by majority vote in a citywide election. Once chartered, a general-law city does not automatically become a home-rule city just because its population increases to greater than 5,000. Residents must vote to change to home-rule status, which continues even if the municipality's population drops below 5,000.

Texas has almost 900 general-law cities, most of which are fairly small in population. Although some of the about 350 home-rule cities are small, most larger cities tend to have home-rule charters. The principal advantage of home-rule cities is greater flexibility in determining their organizational structure and how they operate. Residents draft, adopt, and revise their city's charter through citywide elections. The charter establishes the powers of municipal officers; sets salaries and terms of offices for council members and mayors; and spells out procedures for passing, repealing, or amending **ordinances** (city laws).

The ordinance-making power of Texas municipalities is not unlimited. Under Dillon's Rule, the state creates and can limit local government authority. For example, in November 2014, voters in Denton, located north of Dallas–Fort Worth, approved an ordinance banning hydraulic fracturing (fracking) within

**municipal (city) government**
A local government for an incorporated community established by law as a city.

**general-law city**
A municipality with a charter prescribed by the legislature.

**home-rule city**
A municipality with a locally drafted charter.

**ordinance**
A local law enacted by a city council or approved by popular vote in a referendum or initiative election.

city limits. However, the following May, the Texas Legislature responded to oil and gas industry lobbying by prohibiting cities from regulating underground oil and gas operations, which includes fracking.[7] This began a period of increased limitations on Texas local governments by state leaders that continued into the 2025 legislature. (For a discussion of how much authority the state should have over city ordinances, refer to this chapter's Point/Counterpoint feature on page 100.)

Home-rule cities may exercise three powers not held by the state government or general-law cities: recall, initiative, and referendum. **Recall** provides a process for removing elected officials through a petition followed by a popular vote. Recall is used less in Texas than in many states (35 attempts in 2020–24) and is successful less than one in five times.[8] Recall often involves hot-button issues. During 2018–20, there were recall petitions involving a gay council member in a small southeast Texas town, a controversial Black council member in a heavily White Dallas suburb, and a council member who had made anti-Islamic posts on social media.

An **initiative** is a resident-drafted measure proposed by a specified number or percentage of qualified voters. If approved by popular vote, an initiative becomes law without city council approval, whereas a **referendum** approves or repeals an existing ordinance. Ballot referenda and initiatives require voter approval and, depending on city charter provisions, may be binding or nonbinding on the city.

**recall**
A process for removing elected officials through a popular vote. In Texas, this power is available only for home-rule cities.

**initiative**
A citizen-drafted measure proposed by a specific number or percentage of qualified voters that becomes law if approved by popular vote. In Texas, this process occurs only at the local level in home-rule cities, not at the state level.

**referendum**
A process by which issues are referred to the voters to accept or reject. Voters may also petition for a vote to repeal an existing ordinance. In Texas, this process occurs at the local level in home-rule cities. At the state level, state constitutional amendments and bonds secured by taxes must be approved by the voters.

Initiatives and referenda can be controversial. For example, in 2024, after a contentious campaign, Dallas voters approved petition-driven measures that made possession of a small amount of marijuana a low-level priority for police, allowed residents to sue city officials, and increased the number of police. A proposal to subject the Dallas city manager's retention and pay to the results of a community satisfaction survey failed. The initiatives were opposed by city and business leaders and the police union. At the same time, Amarillo voters overwhelmingly rejected an initiative to make the city a Sanctuary City for the Unborn that would have enabled lawsuits against anyone aiding travel for an abortion.

A conflict over how to regulate ridesharing services such as Uber and Lyft illustrates the interplay of referenda, interest groups, and local–state relations. In 2016, a political action committee supported by Uber and Lyft obtained 65,000 signatures calling for a referendum to prevent an Austin ordinance from going into effect. The ordinance required fingerprint-based background checks for ridesharing drivers, a process similar to that used for taxi drivers. Uber and Lyft spent nearly $9 million on the campaign, the most expensive referendum campaign in the city's history. In May 2016, Austin voters defeated Proposition 1, allowing the city council ordinance to take effect. Days after the election, Lyft and Uber pulled out of Austin, and local companies quickly filled the gap. Uber and Lyft immediately lobbied the legislature, which has long been antagonistic toward Austin. Resulting legislation gave the state the power to regulate ridesharing and required a background check without fingerprints. Both companies were back in Austin a year after leaving.

## Forms of Municipal Government

How a government is organized has important consequences, among them who has access to decision-makers, what kinds of policies are likely to be enacted, and how efficiently the government works. The four principal forms of municipal government used in the United States and Texas—strong mayor–council, weak mayor–council, council–manager, and commission—have many variations. The council–manager form prevails in almost 90 percent of Texas's home-rule cities, and variations of the two mayor–council systems operate in many general-law cities. In practice, various combinations of the forms are permissible under a home-rule charter, as long as they do not conflict with state law. Informal practice also may make defining a city's form difficult. For example, the council–manager form may work like a strong mayor–council form if the mayor has a strong personality and the city manager is timid.

**Strong Mayor–Council** Among larger American cities, the **strong mayor–council form** has traditionally been the most common arrangement. However, among today's 10 largest cities, Dallas, San Antonio, Phoenix, and San Jose (California) operate with a council–manager system. In Houston, New York City, Los Angeles, Chicago, Philadelphia, and San Diego, the mayor is the chief administrator and the political head of the city. Of Texas's 25 largest cities, only Houston (number 1) and Pasadena (number 22) still have the strong mayor–council form of government. Many people see the strong mayor–council system as the best form for large cities because it allows strong leadership and is more likely than the council–manager form to be responsive to the full range of the community. In the early twentieth century, however, the strong mayor–council form began to fall out of favor in many places, including Texas, because of its association with the corrupt political party machines that once dominated some cities. Now most of Texas's home-rule cities have chosen the council–manager form.

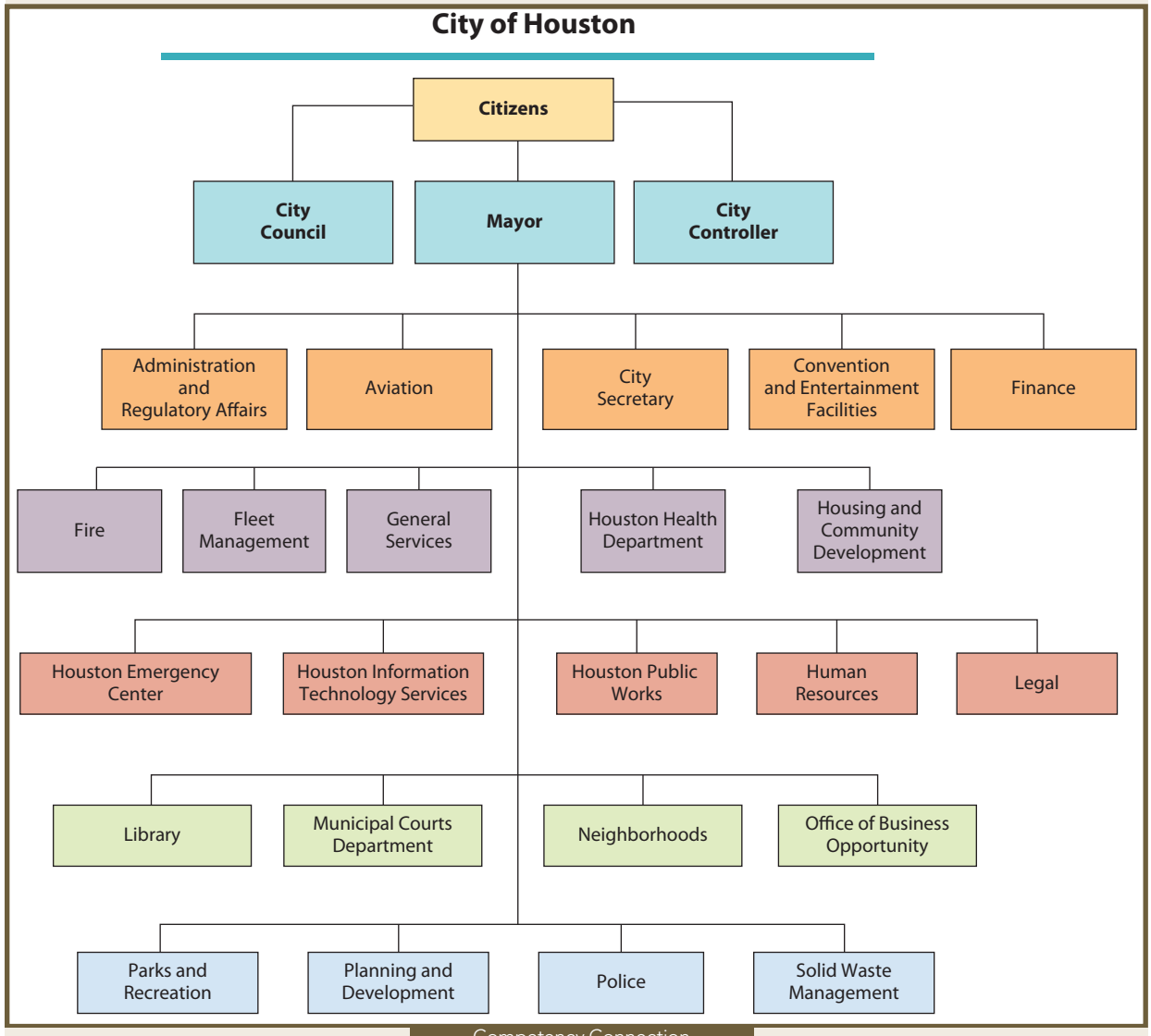
In Texas, cities operating with the strong mayor–council form have the following characteristics:

- A council traditionally elected from single-member districts, although many now have a mix of at-large and single-member district elections
- A mayor elected at large (by the whole city), with the power to appoint and remove department heads
- Budgetary power (preparation and execution of a plan for raising and spending city money) exercised by the mayor, subject to council approval before the budget may be implemented
- A mayor with the power to veto council actions

Houston's variation of the strong mayor–council form features a powerful mayor aided by a strong appointed chief of staff and an elected controller with budgetary powers (Figure 3.1). Most Houston mayors have delegated administrative details to the chief of staff, leaving the mayor free to focus on the larger picture. Duties of the chief of staff, however, vary widely depending on the mayor currently in office.

**strong mayor–council form**
A type of municipal government with a separately elected legislative body (council) and an executive head (mayor) elected in a citywide election with veto, appointment, and removal powers.

**Figure 3.1** Strong Mayor–Council Form of Municipal Government: City of Houston (2025)




Source: City of Houston, Organization Chart, Fiscal Year 2025 Budget, www.houstontx.gov > budget > orgnchart.

Competency Connection

**Critical Thinking**

What are the differences between strong mayor–council and weak mayor–council forms of government?

**weak mayor–council form**
A type of municipal government with a separately elected mayor and council, but the mayor shares appointive and removal powers with the council, which can override the mayor's veto.

**Weak Mayor–Council** As the term **weak mayor–council form** implies, this model gives the mayor limited administrative powers. The mayor's position is weak because the office shares appointive and removal powers over municipal government personnel with the city council. Instead of being a chief executive, the mayor is merely one of several elected officials responsible to the electorate. In elections, voters choose members of the city council, some department heads, and other municipal officials. The city council has the power to override the mayor's veto.

The current trend is away from the weak mayor–council form. None of the largest cities in Texas has this form, though some small general-law and home-rule cities in Texas and other parts of the country use it. For example, Conroe, with a population of more than 108,000 in Montgomery County (north of Houston), describes itself on its website as having a mayor–council form of government. The mayor's powers are limited, and a city administrator manages city departments on a day-to-day basis. The mayor, however, maintains enough status and power to serve as a political leader.

**Council–Manager** When the cities of Amarillo and Terrell adopted the **council–manager form** in 1913, a new era in Texas municipal administration began. Today, most of Texas's almost 350 home-rule cities follow the council–manager form (sometimes termed the commission–manager form). Figure 3.2 illustrates how this form is used in San Antonio. The council–manager form has the following characteristics:

- A mayor, elected at large, who is the presiding member of the council but who generally has few formal administrative powers
- City council or commission members elected at large or in single-member districts to make general policy for the city
- A city manager who is appointed by the council (and can be removed by the council) and who is responsible for carrying out council decisions and managing the city's departments

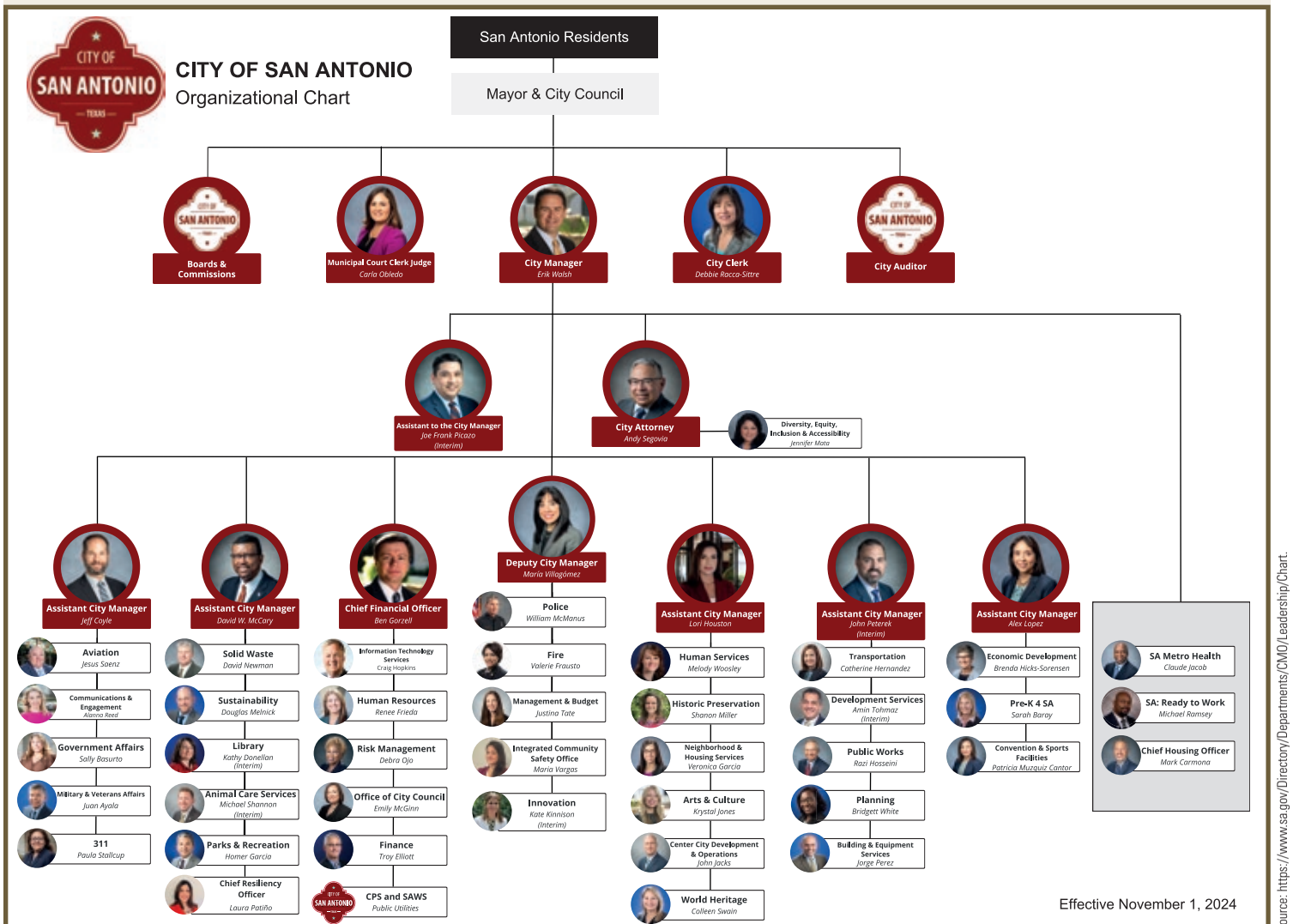
Under the council–manager form, the mayor and city council make decisions after debate on policy issues, such as taxation, budgeting, and services. The city manager's actual role varies considerably; however, most city managers exert strong influence. City councils generally rely on their managers for the preparation of annual budgets and policy recommendations. After a policy is made, the city manager's office directs an appropriate department to implement it. Typically, city councils hire professional managers, who usually possess graduate degrees in public administration and earn competitive salaries. In 2024, city manager annual salaries for Texas's five largest council–manager cities ranged from $390,000 (San Antonio) to $470,000 (Austin).

Obviously, a delicate relationship exists between appointed managers and elected council members. In theory, the council–manager system has a weak mayor and attempts to separate policy making from administration. Councils and mayors are not supposed to "micromanage" departments. However, in practice, elected leaders sometimes experience difficulties in determining where to draw the line between administrative oversight and meddling in departmental affairs.

**council–manager form**
A system of municipal government in which an elected city council hires a manager to coordinate budgetary matters and supervise administrative departments.

Professional management under this form tends to produce more efficiency and less corruption. A common weakness is the lack of a leader to whom residents can bring demands and concerns. The mayor's formal authority is weak; power in the city council is dispersed among a number of members (from 4 to 16, with an average of 8, among the 25 largest cities in Texas); and the city manager is supposed to "stay out of politics." Thus,

**Figure 3.2** Council–Manager Form of Government: City of San Antonio (2025)




Source: https://www.sa.gov/Directory/Departments/CMO/Leadership/Chart.

Competency Connection

**Critical Thinking**

What advantages does the city manager have in this form of government compared to the mayor? What concerns should people have about this form of government and why?

council–manager cities tend to respond more to elite and **middle-class** concerns than to those of the **working class** and people of color. The business elite and the middle class have more organizations and leaders who have access to city government and know how to work the system. Few council–manager cities have mayors who regularly provide strong political and policy leadership. One of these exceptions is San Antonio, where mayors, due to tradition and personality, generally are strong leaders. Other major Texas cities have had individual mayors whose political skills made them effective leaders. The council–manager form seems to work well in cities where most people are of the same ethnic group and social class and thus share many common goals. Few central cities fit this description, but many suburbs do.[9]

**Commission** Today, none of Texas's cities operates under a pure **commission form** of municipal government. First approved by the Texas Legislature for Galveston after a hurricane demolished the city in 1900, this form lacks a single executive, relying instead on elected commissioners that form a policy-making board.

In the pure commission form known as the Galveston Plan, each department (for example, public safety, finance, public works, welfare, or legal) is the responsibility of a single commissioner. Most students of municipal government criticize this form's dispersed administrative structure and lack of a chief executive. No home-rule city in Texas uses the commission form, and general-law cities are prohibited from using the Galveston Plan. Therefore, the few Texas municipalities that have a variation of the commission form operate more like the mayor–council form and designate a city secretary or another official to coordinate departmental work.

**✓ 3.2 Learning Check**

1. Name the two legal classifications of cities in Texas and indicate which has more flexibility in deciding its form and the way it operates.
2. Which form of municipal government is most common in Texas's larger home-rule cities?

Answers at the end of this chapter.

**middle class**
Social scientists identify the middle class as those people with white-collar occupations (such as professionals and small business owners).

**working class**
Social scientists identify the working class as those people with blue-collar (manual) occupations.

**commission form**
A type of municipal government in which each elected commissioner is a member of the city's policy-making body and heads an administrative department (e.g., public safety with police and fire divisions).

**nonpartisan election**
An election in which candidates are not identified on the ballot by party label.

# Municipal Politics

**LO 3.3** Identify the rules and social issues that shape local government outcomes.

Election rules and socioeconomic forces make a difference in who wins and what policies are more likely to be adopted. This section examines several election rules that affect local politics and then looks at social and economic factors that affect the nature of local politics in Texas.

## Rules Make a Difference

Under Texas law, home-rule cities have the option to allow partisan elections in which a candidate's political party affiliation is included on the ballot.[10] Nonetheless, all city and special district elections in Texas are officially **nonpartisan elections**. That is, candidates are listed on the ballot without party labels in order to reduce the role of political parties in local politics. This rule has been effective in most local Texas governments, where political parties play little to no

role. However, they often play some role in the metropolitan areas and recently in other areas.

While the parties do not officially run candidates in city elections, the media commonly label city leaders with their party. Local party activists may recruit candidates, argue issues, and raise money and campaign workers. In 2024, the Texas Republican Party endorsed 20 candidates for nonpartisan positions in four counties. That year, both parties' county organizations endorsed Corpus Christi city council candidates. State-level leaders may endorse candidates or become candidates themselves. For example, Democratic state representative Sylvester Turner was twice elected mayor of Houston and was followed by Democratic state senator John Whitmire in 2023. While serving as San Antonio mayors, Henry Cisneros and Julián Castro gained national prominence and became Democratic leaders after leaving office. After nine years as a Democratic state legislator, Eric Johnson was elected mayor of Dallas in 2019. Four years later, he switched to the Republican Party, becoming one of two Republican mayors of a major Texas city (along with Mattie Parker of Fort Worth). A petition failed to gain enough signatures to force a recall election.

Nonpartisan elections have at least two negative consequences. First, without political parties to stir up excitement, voter turnout tends to be low compared with the partisan state and national elections. Voting in the United States and Texas tends to be racially polarized (that is, people are likely to vote for candidates of their own race or ethnicity).[11] Because those who do vote in low-turnout elections are more likely to be White and middle class, the representation of people of color and the working class is reduced. San Antonio, for example, has a majority Latino population, but because of greater White voter turnout, only 3 of 14 mayors from 1970 to 2025 were Latino. Exceptions have been Mexican American candidates who appealed to both White and Latino voters (Henry Cisneros, Edward Garza, and Julián Castro). In 2014, Ivy Taylor became the city's first Black mayor by appointment and then was elected with a coalition of Black and conservative White voters. She was defeated in 2017 by Ron Nirenberg (of Eastern European Jewish and Filipino background), who ran as the more progressive candidate.

**at-large election**
Members of a policy-making body, such as a city council, are elected on a citywide basis rather than from single-member districts.

**single-member district**
Voters in an area (commonly called a district, ward, or precinct) elect one representative to serve on a policy-making body (e.g., city council, county commissioners court, state House, state Senate, or the U.S. Congress).

A second problem of nonpartisan elections is that they tend to be more personal and less issue-oriented. Being well known is an advantage in almost any campaign, but without a party for a guide, voters focus even more on personalities, not issues. In smaller communities, local elections are often decided by who has more friends and neighbors.

The two most common ways of organizing municipal elections are **at-large election**, in which council members are elected on a citywide basis, and **single-member district** election, in which voters cast a ballot only for a candidate who resides within their district. Texas municipalities long used at-large elections. However, this system was challenged because it tends to overrepresent the majority White middle-class population and underrepresent people of color. In at-large elections, the city's majority voting bloc tends to be the majority in each electoral contest, which works to the disadvantage of candidates from ethnic minorities. Dividing a city into single-member districts

tends to create some districts with a majority of historically excluded ethnic minorities, thereby increasing the chance of electing a Latino, Black, or Asian American candidate to the city council. District elections also help White working-class representation.

Prompted by ethnic conflict, lawsuits, and sometimes generational change, Texas cities are moving away from reliance on at-large elections. By 2025, only three of Texas's 25 largest cities used only at-large elections for their council. The rest used only district election (13) or a combination of district and at-large election (9). Increased use of single-member districts has led to more ethnically and racially diverse city councils.[12] Low voter turnout by an ethnic group, however, can reduce the effect of single-member districts (a major problem for Texas Latino representation).

Throughout the country, representative bodies whose members are elected from districts (such as the state legislature, city councils, county commissioners court, and school boards) must **redistrict** (redraw their district boundary lines) after every 10-year census. If at-large or cumulative voting (described subsequently) is used, redistricting is not necessary. After the 2020 census, Texas's city councils had to redraw districts to reflect shifts in population within cities and between districts.

In 1975, because of its long history of racial discrimination, all Texas governments were placed under a provision of the federal Voting Rights Act that required governments to receive preclearance from the U.S. attorney general or the Federal District Court for the District of Columbia for changes affecting voting. However, the U.S. Supreme Court in the case of *Shelby County v. Holder* (2013) found Section 4 of the Voting Rights Act unconstitutional, making preclearance much less likely.

The city of Pasadena (a Houston suburb), which is 70 percent Latino, has long been dominated by its minority White population, which received the majority of city spending but felt threatened by increasing Latino council membership. Without the threat of federal preclearance, the city changed the council from eight district seats to six district and two at-large, which made continued White dominance likely. In 2015, five White and three Latino candidates were elected. In 2017, in a suit filed by Latino leaders, a Houston federal district judge threw out the at-large seats and ordered the 2017 elections to be held with eight district seats. The 2017 election and term-limiting of the former mayor led to a unanimous council decision to drop the city's appeal of the order, accept being under federal preclearance until 2023, and pay plaintiffs' court costs ($1.1 million). In 2024, Latinos held five of the eight council positions.

In recent decades, the major controversy over redistricting at the local level has been the issue of the representation of Texas's major ethnic groups—particularly Latino Texans, who were the main source of the state's population growth in the 2010 and 2020 censuses. Expansion of the Latino population in urban areas has increased the number of Latino opportunity districts. These districts are drawn to include a large enough population of Latinos to give a Latino candidate a good chance of winning.[13] Low Latino turnout, however, has limited the number of Latino council members actually elected. (For a

**redistricting**
Redrawing of boundaries after the federal decennial census to create districts with approximately equal population (e.g., legislative, congressional, commissioners court, and city council districts in Texas).

discussion of minority opportunity districts, refer to Chapter 5, "Elections and Voter Participation.")

To increase minority representation, local governments may use **cumulative voting**. In this election system, voters cast a number of votes equal to the positions available and may cast them for one or more candidates in any combination. For example, if eight candidates vie for four positions on the city council, a voter may cast two votes for Candidate A, two votes for Candidate B, and no votes for the other candidates. By the same token, a voter may cast all four votes for Candidate A. In the end, the candidates with the most votes are elected to fill the four positions.

Where voters of color are a numerical minority, cumulative voting increases the chances that they will have some representation. The largest government entity in the state to use cumulative voting is the Amarillo Independent School District, which adopted the system in 1999 in response to a federal Voting Rights Act lawsuit. The district was 30 percent persons of color but had no Latino or Black board members for two decades. With the adoption of cumulative voting, Black and Latino board members were elected. In 2020–24, the seven-member board included one, two, or three persons of color, depending on the year. In Texas, only a small number of entities, mostly school districts, have used cumulative voting.

Home-rule cities may also determine whether to institute **term limits** for their elected officials. Proponents of term limits argue that they make officials more responsive to the public and bring fresh ideas. Opponents say that inexperienced representatives have to rely on lobbyists and the bureaucracy for information and then have to leave about the time they know how things work. Term limits are highly popular with the public, but political scientists find they are ineffective in improving government performance.[14]

Beginning in the 1990s, many Texas cities amended their charters to institute term limits for their mayor and city council members. By 2020, five of Texas's six largest cities had adopted term limits (most commonly to eight years' total service). Fort Worth was the one exception, with no limits. In 2021, Betsy Price retired after five two-year terms, making her the longest-serving mayor in Fort Worth history.

When officials are denied reelection, they frequently call for overturning term limits. However, gaining support to eliminate established term limits is difficult. A more successful compromise has been to increase the number of terms or to lengthen the terms of office for elected officials. In 2008, San Antonio changed its limits from two to four terms, with two-year terms for its mayor and city council members. This move was expected to give time for Latino city council members to build the support necessary to run for mayor. Houston extended terms of office for all city officeholders to two terms of four years each in 2015. Four-year as opposed to two-year terms can give officials a longer time perspective on public issues and allow them to devote more time to public business rather than spending every other year campaigning. In early 2025, four of the six largest cities had four-year terms, and two had two-year terms.

**cumulative voting**
When multiple seats are contested in an at-large election, voters cast one or more of the specified number of votes for one or more candidates in any combination. It is designed to increase representation of historically underrepresented ethnic minority groups.

**term limit**
A restriction on the number of terms officials can serve in a public office.

## Socioeconomic and Demographic Changes

It should be clear that election rules make a difference in who is elected. Historical, social, and economic factors make a difference as well. Texas's increasing levels of urbanization, education, and economic development have made the state more economically, culturally, and politically diverse (or more pluralist). Local politics reflect these changes. Many Texas city governments were long dominated by elite business organizations, such as the Dallas Citizens Council and the San Antonio Good Government League. But greater pluralism and changes in election rules have given a say to a wider range of Texans in determining how their local governments function.

Social and economic changes have a profound effect on local government. Growth in population size, increased amounts of popular organization, and higher levels of personal income tend to increase demands on local government and produce higher public spending. The kind of economic growth also affects politics. The Houston–Galveston–Beaumont area (or upper Gulf Coast) is the one area of the state that had any significant amount of heavy industry. Large plants with concentrations of unskilled and semi skilled workers increase the amount of union organization, which tends to give workers not just higher wages but more say in local government. While heavy industry has declined and unions have faced substantial state restriction, the traditions and mechanisms of working class participation have persisted in the upper Gulf Coast.

Economic development in other parts of the state makes working-class organization more difficult. Plants tend to have fewer working-class people and to be more dispersed. Services, such as finance and information, tend to have more middle-class employees. Dallas's growth fits this pattern. It was long dominated by business elites supported by a substantial middle class. However, as many of the middle class moved to the suburbs and more working-class people entered, Dallas's politics changed significantly.

Houston has long been Texas's most diverse local political system. It has a strong business community, many labor union members, a Black community with a century's experience in fighting for its views and interests, a growing and increasingly organized Latino community, an expanding Asian American community that is becoming more active, and a politically active LGBTQ+ community. Black churches and White evangelical churches are divided on policy, but both push their members to vote. Multiethnic and cross-class coalitions have been the norm in Houston's mayoral races for decades, and nonbusiness interests have significant, if variable, access to city hall.

Dallas has long had serious Black–White racial tensions. Although these conflicts have not been eliminated, changes in election rules and demographics have increased the number of people of color on the city council. In 1995, Ron Kirk became the first Black person in modern times elected mayor of one of Texas's largest cities. Since 1976, three women have served as mayor. In early 2025, Dallas had a Black mayor and a city council composed of four Latino, three Black, and seven White members. There were six women and eight men.

Racial, ethnic, and gender discrimination and conflict are a part of Texas history and remain a problem today. Most communities are working to resolve their

## Point/Counterpoint

### Should the State Have Less Control Over City Government Decisions?

**The Issue** The 2015 legislature considered more than 1,600 bills affecting the authority of cities. The next five legislatures continued to reduce local decision-making, generally by giving the state government authority in an area and thus preempting local decisions. Among the bills considered were attempts to ban red light cameras, limit cities' taxing and borrowing power, reduce cities' annexation authority, and prohibit local regulation of fracking, knives, tree removal, plastic bags, and straws. In 2023, the so-called Death Star Bill radically reduced local authority, forbidding cities and counties to exceed state rules in broad areas, including oil, insurance, finance, labor, and environment. Legislators particularly disliked cities controlled by Democrats, but all cities now have much less discretion.

**For**

1. Different communities have different needs. Allowing local governments to address these differences is more appropriate than applying the same regulatory scheme statewide.
2. Texas law already provides that if a government takes someone's property, the property owner must be compensated. However, use of one's own property to damage others' property should not be protected.
3. When problems develop, local officials are more accessible to residents than state officials. Limiting local control gives too much influence to powerful special interests.

**Against**

1. For efficiency, regulations should be consistent throughout the state. A patchwork of regulations that vary across local governments is costly for businesses.
2. Some city ordinances, such as prohibitions against fracking, interfere with individuals' property rights because they effectively destroy the right to exploit one's property for financial gain.
3. Texas is being "Californiaized" by local officials with unnecessary regulations.

Competency Connection

**Social Responsibility**

It seems ironic that the conservative Republicans attacking local control once championed it, while liberal Democrats defending Texas's cities once preferred national action. The reality is that policy preferences (and the groups they benefit) generally trump philosophical preferences. In practice, leaders tend to prefer dominance by the level they control. Do you support decreasing the state's authority over local governments? Why?

**descriptive representation**
Having representatives who resemble their constituents, such as being of the same ethnicity or gender.

issues, albeit in differing ways and to very different degrees. One way has been to increase the number of Texans of color and women in leadership positions. Note that doing so (called **descriptive representation**) is more equitable but does not necessarily produce better policy outcomes for those represented. **Substantive representation** involves actions actually favoring those represented. Research indicates that descriptive representation does tend to help those represented but

that results vary greatly, as does the pace of change. Formerly underrepresented groups may feel more empowered and vote more, as well as receive better treatment by government.[15]

Table 3.1 shows the first Black, Latino, and women mayors of major Texas cities in the modern era. Note that the "firsts" shown range across half a century, the process continues in these and smaller cities, and all three groups are still underrepresented. In early 2025, among the mayors in the 25 largest Texas cities, 17 were White, 4 Latino, 3 Black, and 1 other. Four were women, and 21 were men.

Since at least 2004, Texas has had the largest number of Latino elected officials in the nation (40 percent of the national total). In 2019, persons of color were 20 percent of elected Texas officials (Latinos, 15 percent, and Black officials, 4 percent). Women were 34 percent. There were only eight Asian Americans. Most Texas persons of color and women are elected at the local level: more in school boards and municipalities, followed by law enforcement/judicial offices and counties.[16]

Beginning in the 1960s and 1970s, South Texas's majority Latino population elected Latino (and some non-Latino) leaders at all levels. In the rest of the state, central cities and some near-in suburbs tend to have a majority of Latino, Black, and Asian American residents, which gives these groups more electoral clout. Suburbs farther from the center tend to be predominantly White and often heavily middle class, which produces more middle-class White leaders. In Texas, as throughout the United States, an increasing number of persons of color are moving to the suburbs. For example, in Fort Bend County, southwest of Houston, Latino, Black, Asian, and White Americans are each over 20 percent of the population. Clearly, the face of local government has changed as a result of increased use of single-member districts; greater pluralism; and the growing number, organization, and political activity of Texans of color.

The changes just described have had two consequences that a casual observer might not notice: the increased number, range, and role of interest groups and lobbyists in local government and an increase in civil society. Interest groups and their lobbyists don't just work at the state and national level. Cities, counties, and special districts tax, spend, and make policy decisions that cost or benefit businesses and groups. Not surprisingly, those affected want to influence (and benefit from) decisions.

Businesses and their associations are the most powerful interest groups at both the state and local levels. We just saw the success of business groups in reducing local decision-making. While organized labor is relatively weak in Texas, police and fire unions have considerable bargaining power with their local governments and often play an important role in election campaigns and lawsuits. Both police and fire unions have had considerable success in collective bargaining, particularly in the area of pensions. Police unions have been outspoken in defense of their members accused in police shootings and the handling of protests. They have been politically adept in opposing efforts to provide more oversight of police. In recent years, city leaders of San Antonio and Houston have succeeded in somewhat constraining pension costs but have been

**substantive representation**
Lawmakers work on behalf of constituents without regard for their ethnic and social characteristics.

**Table 3.1** First Mayors in Texas's Ten Largest Cities by Ethnicity and Sex*

(Elected unless appointment indicated)

| City | Year | Latino/a | Black | Woman |
|---|---|---|---|---|
| El Paso | 1957 | Raymond Telles Jr. | | |
| San Antonio | 1975 | | | Lisa Cockrell |
| Dallas | 1976 | | | Adlene Harrison (appointed) |
| Austin | 1977 | | | Carole Keeton McClellan** |
| Corpus Christi | 1979 | Gabriel "Gabe" Lozano (appointed) | | |
| San Antonio | 1981 | Henry Cisneros (first since 1842) | | |
| Houston | 1981 | | | Kathy Whitmire |
| Austin | 1983 | John Treviño Jr. (appointed) | | |
| Corpus Christi | 1987 | | | Betty Turner |
| Dallas | 1987 | | | Annette Strauss (first elected) |
| El Paso | 1989 | | | Susie Azar |
| Plano | 1990 | | | Florence Shapiro |
| Fort Worth | 1991 | | | Kay Granger |
| Dallas | 1995 | | Ron Kirk | |
| Lubbock | 1996 | | | Windy Sitton |
| Houston | 1997 | | Lee Brown | |
| Arlington | 1997 | | Elzie Odom | |
| Austin | 2001 | Gus Garcia | | |
| Corpus Christi | 2009 | Joe Adame (elected) | | |
| Houston | 2009 | | | Annise Parker (second woman; one of first openly gay mayors of a major U.S. city) |
| Plano | 2013 | | Harry LaRosilere | |
| San Antonio*** | 2014 | | Ivy Taylor (2014 appointed, 2015 elected) | Ivy Taylor (first Black woman) |

*In 1917, Ophelia "Birdie" Crosby of Marble Falls was the first Texas woman elected mayor, three years before women could vote. In 1915, George O. Burgess was elected mayor of Independence Heights, probably the first Black Texas mayor in the twentieth century. In 1958, by winning a seat on the Houston school board, Hattie White became Houston's first Black elected official and probably the first in a major Texas city since Reconstruction. In 1974, by vote of Waco's city council, Oscar DuConge became the first Black mayor of a major Texas city.

**Also, first woman elected Texas comptroller in 1998 as Carole Keeton Strayhorn.

***Ron Nirenberg, elected mayor of San Antonio in 2017, is of Eastern European Jewish and Filipino ancestry.

*Source:* Compiled by author.

Competency Connection

**Critical Thinking**

Does the ethnicity or gender of leaders make a difference? In what ways? Why?

much less successful in increasing police oversight. Refer to Chapter 7, "Interest Groups, Social Movements, and Civic Engagement," for more information.

**Civil society** refers to organizations, groups, and networks outside of government, such as universities, churches, Little League, veterans groups, and clubs such as Rotary and Lions. They better our lives independent of government but also provide us with information and tools for influencing government and the private sector. Texas is not as rich in civil society as some states, but it has grown substantially over time and provides Texans more access and influence in local government. Sports fans may have noted the increase in the number of softball and soccer fields provided by local governments, community associations, and private individuals. Natural disasters such as fires, floods, and hurricanes bring out a strong community response and substantial interaction between governments on the one hand and groups (both formal and informal) on the other.

## Municipal Services

Most residents and city officials believe city government's major job is to provide basic services that affect people's day-to-day lives: police and fire protection, streets, water, sewer and sanitation, and perhaps parks and recreation. These basic services tend to be cities' largest expenditures, though the amounts spent vary from city to city. Austin tends to spend the most per capita, with other major Texas cities spending considerably less. Police and fire protection is consistently over 50 percent of general expenditure, with other expenditures varying considerably from one city to another. San Antonio, for example, spends a higher proportion of its budget on housing and community development, while Austin spends a higher proportion on health and human services. Over the last 30 years, parks and recreation have seen a marked drop in funding as other demands have taken precedence.[17]

Policing is a major policy issue, with considerations including the number of police, paying for them, and regulating their behavior. Conflict and suspicion have long marked the relations between police and persons of color in Texas. The deaths of Michael Brown in Ferguson, Missouri, in 2014 and of Sandra Bland in Texas in 2015 produced demonstrations and calls for police reform. The death of George Floyd in Minneapolis in 2020 followed by police-involved shootings in Texas and elsewhere renewed protest. All of Texas's major cities and many smaller cities saw protests and demands for reform, which would have to be implemented by cities and counties. Although police-involved shootings continued, media coverage and related protests declined by 2024.[18] However, calls for police reform persisted. Suggested reforms included removing the few "bad apples," training on defusing situations, changing police culture, and making police more accountable (through civilian review, easing restrictions on termination for cause, and making it easier to prosecute police bad behavior).

In 2020, the Black Lives Matter movement began to call for "defunding the police" in response to a spate of deaths of Black individuals at the hands of police caught on video. What most advocates meant was to move some of the duties and funding of police to alternative public safety programs and social service

**civil society**
Organizations, groups, and networks outside of government that better lives independently of government but also provide tools for influencing government and the private sector.

providers who are better suited to deal with problems such as mental illness. In Austin, there were months of criticism of the city's police over the killing of an unarmed Black and Hispanic man, use of force against anti-police-brutality protestors, and questions about the investigation of a demonstrator's killing by another person. The city council eventually cut the police budget by $150 million, about one-third, and shifted the funds to other safety-related services. Governor Abbott and Attorney General Paxton immediately condemned the decision and threatened state action. Punishments for cuts were passed by the 2021 legislature, which increased conflicts over even administrative changes that affected police, constable, and sheriff funding.

Beyond traditional basic services, Texas cities also wrestle with demands for convention centers and sports facilities, airports, economic development, historic preservation, arts and culture, child and elder care, low-income housing, regulation or help for the homeless, and response to gentrification (both for and against). Recently, cities have faced demands for police reform and removal of Confederate statues. These competing demands for municipal action often require elected officials to make difficult decisions. When cities were short of funds because of the Great Recession, low oil prices, or the COVID pandemic, traditional services tended to be cut less than newer services.

Municipalities also regulate important aspects of Texans' lives, notably construction, food service, sanitation, and zoning (regulating the use of land by separating residential and commercial areas). Houston is often cited as the only large American city without zoning. However, it uses a variety of measures such as the city enforcing deed restrictions, density and lot size regulation, and rules on communities near airports (which under federal law is much of Houston). The result is that Houston looks much like other sprawling Texas cities that have zoning.[19]

Regulation became a major issue during the COVID-19 pandemic, with cities and counties having to make decisions concerning closure and reopening of businesses, mask wearing, public gatherings, and access to facilities (such as convention centers, parks, and beaches). In March 2020, the mayor of Austin issued a local state of disaster declaration, which led to cancellation of the annual SXSW festival (South by Southwest Music, Film, and Interactive Festival), and in July, Houston's mayor took actions that cancelled the Republican State Convention scheduled to meet in person in the city. After much recrimination and a lawsuit, the convention was held virtually. Local response to the pandemic became more complex and conflictual when Governor Abbott preempted local response authority but vacillated on what local officials could actually do.

During the pandemic, local officials, particularly mayors and county judges, had to coordinate or facilitate testing, hospital space, efforts to assist those laid off because of business closings, and informing the public. Along the Gulf Coast, local officials were simultaneously grappling with how to prevent future flooding such as that created by Hurricane Harvey—issues such as buying out homes in frequently flooded areas, dealing with builders who wanted to build in floodplains, improving drainage, and concerns about reservoirs and dams.

A concern for many Texas local governments, especially cities, is increased liability for employee pensions and other retirement benefits. Firefighters, police,

and other municipal employees can participate in defined-benefits pension plans to which both the employee and the city contribute. When an individual city worker retires or becomes disabled, the retirement plan is obligated to make monthly payments for the remainder of the person's life regardless of the city's financial condition.

The conflict over pensions in Houston since 2015 illustrates many aspects of the municipal policy process when there are strong disagreements—the role of elections in highlighting issues, the role of politically skilled city leaders, the strength of interest groups, the use of referenda, the interplay with the state level, the regular threat and use of court suits, and the long timeline. In the 2015 Houston mayoral election, dire predictions regarding the city's economic future because of its pension obligations were a major campaign issue. The city contributed more than $350 million to its three pension funds in 2015, almost twice its spending for libraries, trash pickup, and parks combined. The city reported a $3.2 billion gap between pension assets and future liabilities, an amount equal to more than its entire city budget. The concern is that as more city revenue is dedicated to funding pensions, less will be available to provide city services.

This problem is not unique to Houston. There are 128 local pension funds in the state. Scarce financial resources available to local governments, pressures from employees and voters, growing health costs, longer life expectancies, and frequent over-optimism have created similar problems across the country. Other Texas cities with large unfunded pension gaps include Dallas, Austin, and San Antonio.

To resolve the issue in Houston, Mayor Turner negotiated a plan requiring city employees to contribute more to their pension funds and accept benefit cuts in exchange for an infusion of money to maintain the pension funds. The city had to persuade the 2017 legislature to pass a bill authorizing the deal and then win approval of a $1 billion bond by city voters later that year. Firefighters, who had opposed the compromise, filed suit and supported a successful 2018 charter amendment to grant firefighters pay parity with police. In 2019, the state court of appeals declared the proposition unconstitutional, giving the city the advantage. In 2024, under the leadership of new mayor John Whitmire, the city reached an agreement with the firefighters' union for a five-year contract (after eight years without one) that gave firefighters $650 million in back pay and a 34 percent pay increase over the life of the contract. The $1.5 billion deal was expected to force future cuts in other areas or measures to increase revenue.

## Municipal Government Revenue

Most city governments in Texas and the nation face a serious financial dilemma: they barely have enough money to provide basic services; thus, they must reject or shortchange new services. Cities' two largest tax sources—sales and property taxes—are limited by state law. These taxes produce inadequate increases in revenue as the population grows. Moreover, Texas voters and the state's leadership are increasingly hostile to higher property taxes. Adding to the problem are low levels of state assistance to Texas cities as compared to those of many other states.

As a result, Texas cities are relying more heavily on fees (such as liquor licenses, franchise fees for cable television companies, and water rates) and are going into debt. Per capita local government debt in Texas was the fourth highest in the nation in 2020. Texas state government, by comparison, was seventh lowest.[20]

Although Texas has diversified its economy, the revenue of Texas governments at all levels has long been tied to the ups and downs of the oil and gas industry. Between 2008 and 2014 and again in 2022, local governments in Texas benefited from a flourishing oil and gas market. Property and sales tax receipts grew in areas with oil and gas drilling or refining. But since 2014, the fluctuations in the price of crude oil have been substantial,[21] which has made municipal revenue often low and planning difficult. The fluctuations also reduce state assistance. The COVID-19 pandemic added to the difficulties.

With less revenue, municipalities try to reduce costs. Conservatives argue for privatization, that is, hiring private companies to provide services such as issuing building permits and cleaning. Liberals point out the serious problems in Texas's efforts to privatize prisons, Medicaid, and Child Protective Services. Research indicates that the profit motive works well "if the task is clear-cut and it's possible to define concrete goals and reward those who meet them."[22] But if the objectives are complex and diffuse, as is often the case in public services, it is difficult to align profit and public goals. Thus, privatization has a mixed record, sometimes saving local governments money and often reducing the quality of service.

**Taxes** The state of Texas permits municipalities to levy taxes based on the value of property (**property tax**). The tax rate is generally expressed in terms of the amount of tax per $100 of the property's value. This rate varies greatly from one city to another. In 2023, rates varied from 10 cents per $100 valuation to $2.06, with an average of 48 cents. A problem with property taxes is that poorer cities with low property values must charge a high rate to provide minimum services. In Dallas County, for example, in 2023, Highland Park (near downtown Dallas) had an annual median household income of $250,000 and set a property tax rate of 22 cents per $100 in valuation. Glenn Heights (south of Dallas) had an annual median household income of $88,000 and set its tax rate at 56 cents per $100 in valuation. The result was that the more affluent city received $994 per capita in revenue, while the less affluent city received $601 per capita.[23] This inequity affects all local governments and has been the basis of lawsuits over school funding.

To try to slow the growth of property taxes, the state legislature has placed various restrictions on the ability of local governments to raise taxes. Currently, most taxing units must calculate two tax rates: the no-new-revenue rate and the voter-approval rate. The details vary by type of local government, but the idea is that the no-new-revenue rate allows taxpayers to see what rate would produce the same revenue as the previous year if applied to the same properties (which may have increased in value). It is only for the taxpayers' information. The voter-approval tax rate gives a city or county the same amount it spent the previous year on day-to-day operations plus an extra 3.5 percent and enough to pay debts. If the city or county sets a rate higher than this, it must call an election for approval. For schools and other special districts, the approach is the same but calculations differ.[24]

**property tax**
A tax that property owners pay according to the value of real estate and other tangible property. At the local level, property owners pay this tax to the city, the county, the school district, and often other special districts.

**Image 3.2** Denton residents object to the state law that denies cities the right to ban fracking.


Tribune Content Agency LLC/Alamy Stock Photo

Competency Connection

**Personal Responsibility**

Should you protest? What would you protest? And how can you make your protest more effective?

The other major source of city tax revenue is an optional "sales and use" tax (usually shortened to "sales" tax). It is collected along with the state sales tax. The state rate is 6.25 percent of retail sales, leases, most rentals, and some services. Cities, counties, special districts, and transit authorities (but not school districts) may add a total of up to 2 percent more, for a total of 8.25 percent. This puts local governments in competition because the sum of their sales taxes cannot exceed 2 percent. A common pattern is for a city to assess 1 percent; the county, 0.5 percent; and a special district, 0.5 percent. In order to prevent going over the cap of 2 percent, state law sets up the order in which sales taxes are required to be collected: first the city, second the county, and third special districts. Commonly, there is consultation among the governments, but the advantage is clear. The average total local increment was 1.38 percent in 2024, but in the more populous areas, the full 2 percent is used. An additional limit is that voters must approve there being a local sales tax within their jurisdiction.

A major problem is that sales tax revenues fluctuate with the local economy, making it difficult to plan how much money will be available. For example, in fiscal year 2024, Westlake in the Fort Worth suburbs suffered a 25 percent decline in sales tax revenue, while nearby Grapevine saw a 7 percent increase.

The hotel occupancy tax is another significant source of revenue for cities with tourism; professional sports teams; major sports events, such as the NFL Super Bowl; or international festivals like the SXSW festival.

**Fees** Lacking adequate tax revenues to meet demands, Texas municipalities have come to rely more heavily on fees (charges for services and payments required by regulations). Cities levy fees for such things as beer and liquor licenses and building permits. They collect traffic fines and may charge franchise fees based on gross receipts of public utilities (for example, telephone and cable television companies). A 2019 law reduced the ability of cities to charge telecom companies for the use of city rights-of-way, one of several acts by the 2019 legislature, reducing city revenues. Texas municipalities are authorized to own and operate water, electric, and gas utility systems that may generate a profit for the city. Seventy-two cities and towns, including Austin and Lubbock, own an electric utility. Charges also are levied for services such as sewage treatment, garbage collection, hospital care, and use of city recreation facilities. These user fees may allow a city to provide some services with little or no subsidy.

**Bonds and Certificates of Obligation** Taxes and fees normally produce enough revenue to allow Texas cities to cover day-to-day operating expenses. Money for capital improvements (such as construction of city buildings or parks) and emergencies (such as flood or hurricane damage) often must be borrowed. This money is obtained through the sale of municipal **bonds**, which may be redeemed over periods of 1 to 30 years. The Texas constitution allows cities and other local governments to issue bonds, but any bond issue to be repaid from taxes (called a general obligation bond) must be approved by the voters. In 2024, there were 547 bond elections by Texas local governments, with voters approving 97 percent. Approval rates vary; in 2022 during the COVID-19 pandemic, under half passed. Bond proposals ranged from $500,000 to $4 billion.[25]

There are several other types of indebtedness. Revenue bonds do not require voter approval because they are not secured by taxes but rather by the revenue they generate. Round Rock and Sugar Land, for example, use revenue bonds for sewer and water projects and pay them off using income from the utilities. During difficult economic times, local governments made more use of certificates of obligation, which do not require voter approval and typically are used for smaller amounts and short-term financing. Some local governments now issue capital appreciation bonds that require no repayment for years. However, they have higher interest rates.

**Property Taxes and Tax Exemptions** Property owners pay taxes on the value of their homes, businesses, and land to the city as well as to the county, the school district, and often other special districts. When property values or tax rates go up, the total tax bill goes up as well. The Lone Star State has one of the highest property tax rates in the nation (fifth among the states in 2024).[26] To offset the burden of higher taxes resulting from reappraisals of property values, local governments (including cities) may grant homeowners up to a 20 percent

**bond**
A mechanism by which governments borrow money.

homestead exemption on the assessed value of their homes. Cities may also provide an additional homestead exemption for disabled veterans and their surviving spouses, for homeowners 65 years of age or older, or for other reasons, such as adding pollution controls.

Cities, counties, and community college districts may also freeze property taxes for senior citizens and the disabled. Property tax caps (or ceilings) can be implemented by city council action or by voter approval. The dilemma is that cities can help their disadvantaged residents, but doing so costs the city substantial revenue. As baby boomers reach retirement age, exemptions and property tax caps will reduce revenue even further. Local governments are also losing revenue from challenges to the appraised value of property by businesses and individuals, often represented by firms specializing in such challenges. The 2025 Legislature appeared likely to increase exemptions significantly.

**The Bottom Line** Because of pressure against increasing property tax rates, municipal governments sometimes refrain from increased spending, cut services or programs, or find new revenue sources. Typically, city councils are forced to opt for one or more of the following actions:

- Create new fees or raise fees on services such as garbage collection and water
- Impose hiring and wage freezes for municipal employees
- Cut services, particularly newer, nontraditional services and those that serve politically weaker residents
- Contract with private firms for service delivery
- Improve productivity, especially by investing in technology

## Generating Revenue for Economic Development

Inner cities face the challenge of rundown housing, abandoned buildings, poorly maintained infrastructure (such as streets), and shortages of grocery stores. This neglect blights neighborhoods and may contribute to social problems. Texas cities have the local option of a half-cent sales tax for infrastructure upgrades, such as repaving streets and improving sewage disposal. The increased sales tax, however, must stay within the 2 percent limit the state imposes on local governments.

Following a long-standing national pattern, the Texas Legislature has provided a variety of programs for local governments to try to spur development by attracting businesses through tax incentives, loans, and grants. Cities may create **tax increment reinvestment zones (TIRZs)**, often called tax increment finance (TIF) districts. A TIRZ uses tax breaks such as freezing taxes to attract private investment in blighted areas. Cities using TIRZs/TIFs include Houston, Dallas, Fort Worth, Austin, San Antonio, El Paso, Waco, Arlington, and Wichita Falls. There are also thousands of subsidy agreements between local governments and companies under Chapter 380 of the local government code for cities and Chapter 381 for counties.

### ✓ 3.3 Learning Check

1. What are two methods to increase the number of elected officials who are members of historical racial or ethnic minority groups?
2. What are the two largest tax sources that provide revenue to local governments? Do these taxes usually provide enough revenue for local governments to meet the demands placed on them?

Answers at the end of this chapter.

**tax increment reinvestment zone (TIRZ)**
Also called a tax increment finance district (TIF). An area in which municipal tax incentives are offered to encourage businesses to locate in and contribute to the development of a blighted urban area. Commercial and residential property taxes may be frozen.

## How Do We Compare...

### in Local Debt?

Local Debt per Capita

| Most Populous U.S. States | Per Capita Debt | U.S. States Bordering Texas | Per Capita Debt |
|---|---|---|---|
| California | $10,223 | Arkansas | $3,317 |
| Florida | $4,699 | Louisiana | $3,015 |
| New York | $10,119 | New Mexico | $2,927 |
| **Texas*** | **$8,763** | Oklahoma | $2,843 |

*Texas state government per capita debt: $2,125.

*Source:* U.S. Census Bureau, "Annual Survey of State and Local Government Finances, 2022 Tables," Accessed December 5, 2024, https://www.census.gov/programs-surveys/gov-finances.html. Calculations by author.

Competency Connection
**Social Responsibility**

Should the state provide more funding to local governments to lower local debt?

Whether incentive plans work is controversial. Texas programs often have little oversight, few clear successes in luring companies that were not coming anyway, and high cost per job created. Many observers argue that companies attracted by tax breaks often make minimal actual investments and leave as soon as they realize a profit from tax and other subsidies. In addition, a complaint made in all of Texas's larger cities in recent years is that attempts to develop or rejuvenate neighborhoods often disrupt or destroy established communities and eliminate or raise the cost of housing for residents.

## Counties

**LO 3.4** Analyze the structure and responsibilities of counties.

Texas **counties** present an interesting set of contradictions. These local entities are technically an arm of the state, created to serve its needs, but both county officials and county residents see them as locally controlled governments and resent what many view as state interference. Counties collect taxes on both urban and rural property but focus more on the needs of rural residents and people living in unincorporated suburbs, who do not have city governments to provide services. This nineteenth-century form of government serves twenty-first-century Texans.

**county**
Texas is divided into 254 counties that serve as an administrative arm of the state and provide important services at the local level, especially in rural areas.

Texas is divided into 254 counties, the most of any state in the nation. There would be another county in the Panhandle if the U.S. Supreme Court had not awarded Greer County to Oklahoma in 1896. The basic form of Texas counties is

set by the state constitution, though their activities are heavily shaped by whether they are in rural or metropolitan areas. As an agent of the state, each county issues state automobile licenses, enforces state laws, registers voters, conducts elections, collects some state taxes, and helps administer the law. In conjunction with state and federal governments, counties conduct health and welfare programs, maintain records of vital statistics (such as births and deaths), issue various licenses, collect fees, and provide a host of other public services. Yet state supervision of county operations is minimal. Rural counties generally try to keep taxes low and provide minimal services. They are reluctant to take on new responsibilities, such as regulating septic systems and residential development. In metropolitan areas, however, counties have been forced by residents' demands—and sometimes by the state—to take on varied urban tasks, such as providing ballparks and recreation centers, hospitals, libraries, airports, and museums.

Politics in Texas's larger counties is changing. Outer suburbs and rural and small-town areas in much of the state remain Republican, while Democrats are gaining in central cities and close-in suburbs. Since the 2018 elections, Democrats have held a majority on the commissioners court in four of the state's five largest counties. (Republicans held a 3–2 advantage in Tarrant County [Fort Worth] after all four elections, 2018–24.) Since 2006, Dallas County has tended to be Democratic, with major victories in 2018–22. In 2024, only one county race was contested by a Republican. In Harris County (Houston), both parties were competitive (depending on turnout) in 2008–2016, but in 2018, Democrat Lina Hidalgo ousted longtime Republican county judge Ed Emmett, as Democrats won all seven countywide races. Seventeen Black women were elected as judges. In 2022, Hidalgo was narrowly reelected, surviving a major Republican effort. Some counties with large cities have become more competitive. In Nueces County (Corpus Christi), for example, a Latina, Barbara Canales, became the first woman and the first Democrat in a decade to win the county judge race but lost to Republican Connie Scott in 2022. Democrats won a majority on the commissioners court in 2018–22, but Republicans regained control in 2024.

In the state's five largest metropolitan areas, women and Texans of color are playing an increasing leadership role. In 2025, of the 20 county commissioners (traditionally considered a male office), 8 were women and 12 were men; 6 were Black, 5 Latino, 1 Black Latina, and 8 White. The top job, county judge, is a tougher glass ceiling but is changing. The five county judges were one Latina, one Asian American man, and three White men. Texans of color were a majority on three commissioners courts.

## Structure and Operation

As required by the state constitution, all Texas counties have the same basic governmental structure, despite wide demographic and economic differences between rural and urban counties. Contrast Figure 3.3, Harris County, the most populous Texas county with more than 4.8 million residents in 2023, with Figure 3.4, Loving County, the least populous county in the country with 43 residents in that year. (As an aside, Loving County is also noted for long-standing political and

family feuds, the arrest of the county judge for cattle theft, lawsuits, and defunding the sheriff and constable.[27])

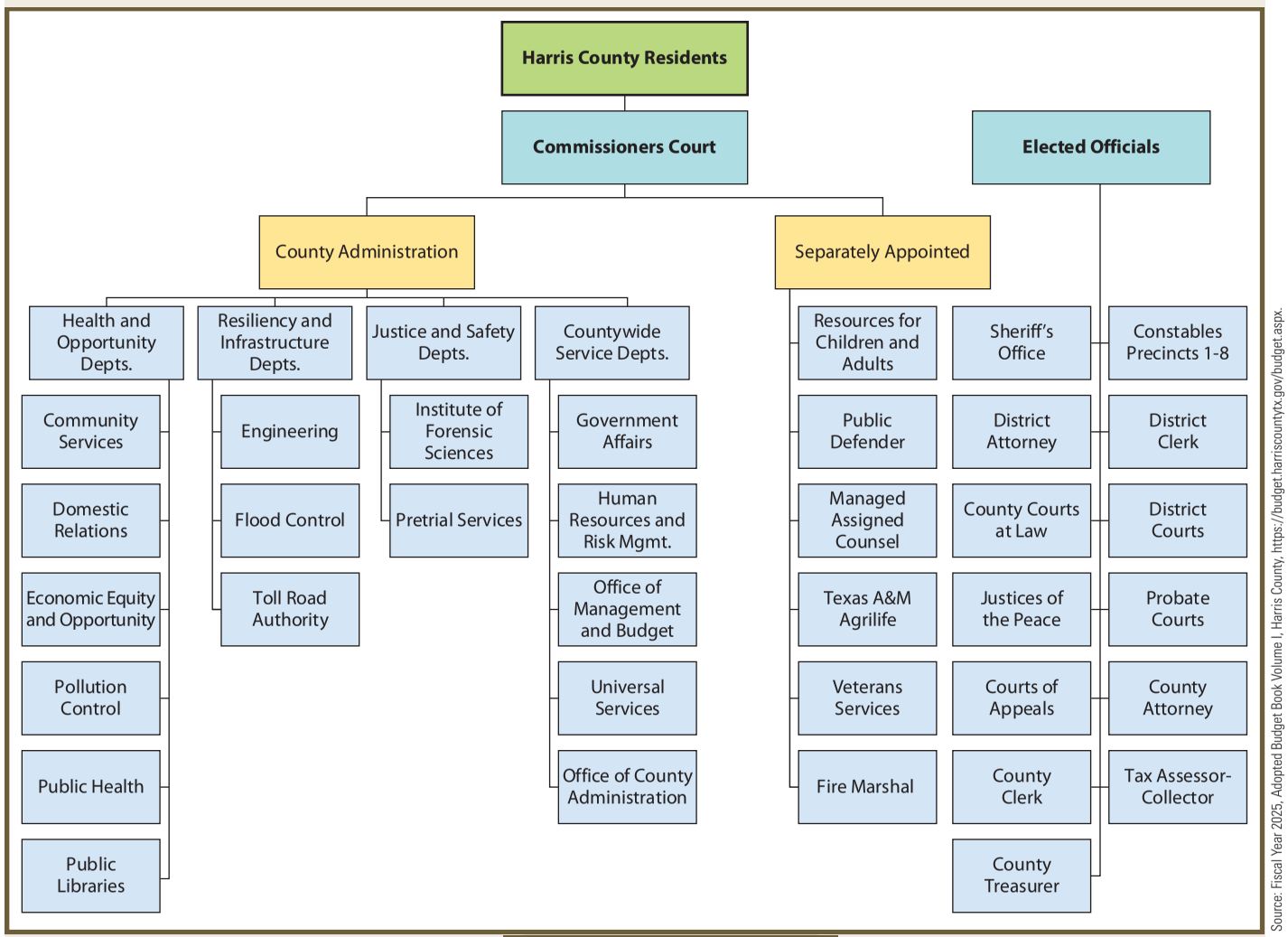
The Texas constitution provides for the election of 14 county officials, although in practice, some counties have more and others have fewer. All elected county officials, including judges, are chosen in partisan elections and serve four-year terms. In practice, Texas counties are highly decentralized, or fragmented. No one person has formal authority to supervise or coordinate the county's elected officials, each of whom tends to think of their office as a personal fiefdom and resents interference by other officials. Sometimes, however, the political leadership of the county judge produces cooperation.

**Commissioners Court** All elected county officials make policies for their area of responsibility, but the major policy-making body is called the **commissioners court**. Its members are the county judge, who presides, and four elected commissioners. The latter serve staggered four-year terms, so two commissioners are elected every two years. Each commissioner is elected by voters residing in a commissioner precinct; thus commissioners are elected from single-member districts. Boundary lines for a county's four commissioner precincts are set by the commissioners court. Precincts must be of substantially equal population as mandated by the "one-person, one-vote" ruling of the U.S. Supreme Court in *Avery v. Midland County* 390 U.S. 474 (1968).

Counties must redistrict every 10 years, following the federal census. Redistricting often focuses on redrawing precinct lines to increase the likelihood of commissioners from the majority party being reelected and those from the minority party being defeated. This is called gerrymandering and is accomplished by including or excluding areas that consistently vote for one party. In Texas's past, gerrymandering was also used to reduce the impact of voters of color. Today, whether consciously or not, gerrymandering very much affects the representation of Texans of color. For example, in 2021, the federal government sued Galveston County over its redistricting, charging racial gerrymandering. Of the four commissioner precincts, one had a majority of Black and Latino voters for decades and elected a Democratic commissioner. The redistricting spread voters of color into the other precincts, making it likely that the incumbent Black Democrat would be defeated and make the commissioners court all Republican. In the resulting suit, a federal district judge ruled that Galveston County had violated the Voting Rights Act. However, on appeal, the Fifth Circuit overturned its own precedent and held that under the act a coalition of groups (Black and Latino voters) did not have the same protection as a single group, thereby upholding the gerrymandering (*Petteway v. Galveston County)*. In 2024, a White Republican was elected. In Harris County (Houston) in 2021, the Democratic majority on the commissioners court redrew the precincts to make it less likely that one of two Republicans on the court could be reelected. Following an unsuccessful appeal to the Texas Supreme Court complaining of partisan gerrymandering, the Republican was defeated in 2022, and the court became 4–1 Democratic. In the past, federal courts have been more likely than Texas courts to strike down racial gerrymandering. Neither level has tended to stop partisan gerrymandering. (Refer to Chapter 8, "The Legislative Branch," for more discussion of redistricting.)

**commissioners court**
A Texas county's policy-making body, with five members: the county judge, who presides, and four commissioners representing single-member precincts.

**Figure 3.3** Harris County Government (County Seat: Houston)

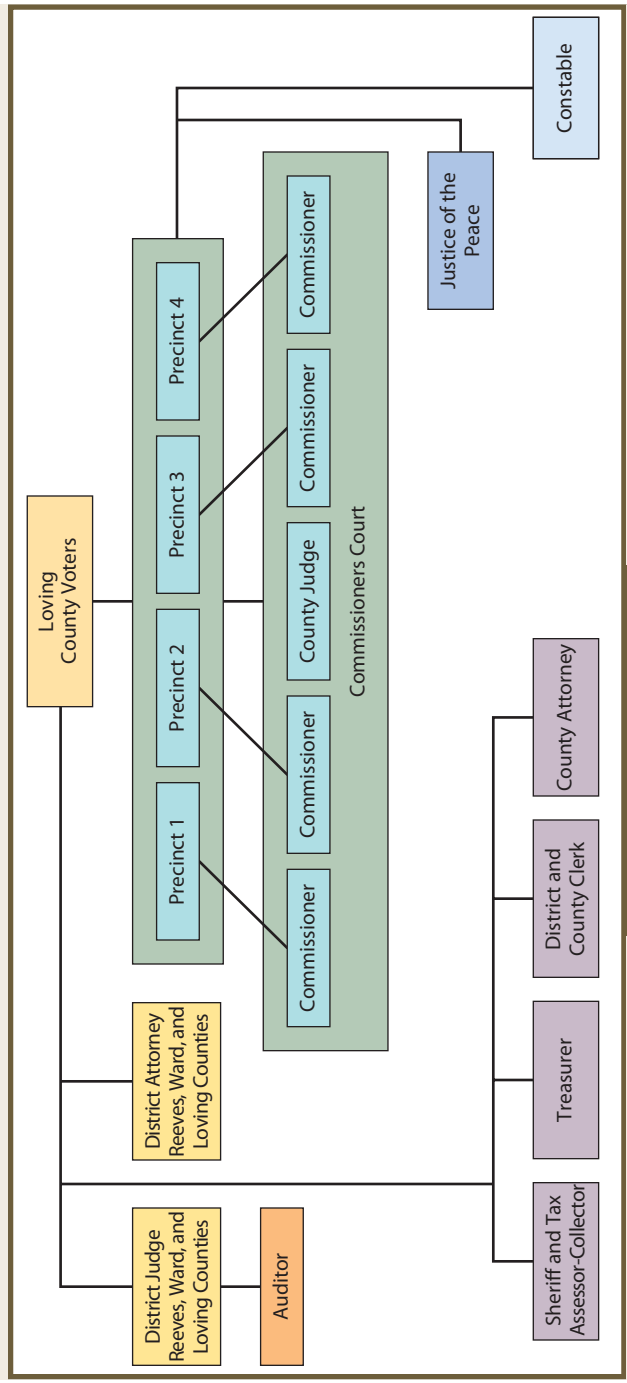



Source: Fiscal Year 2025, Adopted Budget Book Volume I, Harris County, https://budget.harriscountytx.gov/budget.aspx.

Competency Connection

**Personal Responsibility**

Do most people know the role of their county commissioners court? Why is it important for more people to understand its role?




Source: Harris County Adopted Budget, Fiscal Year 2023, p. 3, https://budget.harriscountytx.gov/budget.aspx.

**Figure 3.4** Loving County Government (County Seat: Mentone)

Competency Connection
**Critical Thinking**

How does a county's population size change the job of the county commissioners court? Compare Figure 3.3 (Harris County) to Figure 3.4 (Loving County).

The term *commissioners court* is actually a misnomer because its functions are administrative and legislative rather than judicial. The court's major functions include the following:

- Adopting the county budget and setting tax rates, which are the commissioners court's greatest sources of power and influence over other county officials
- Providing a courthouse, jails, and other buildings
- Maintaining county roads and bridges, which is often viewed by rural residents as the most important county function
- Administering county health and welfare programs
- Administering and financing elections (general and special elections for the nation, state, and county)

Beyond these functions, a county is free to decide whether to take on other programs authorized, but not required, by the state.

In metropolitan areas, large numbers of people live in unincorporated communities with no city government to provide services, such as police protection and water. Within those communities, the county, special districts, and volunteer fire departments provide some basic services. In rural areas, counties take on few new tasks, and residents are generally happy not to be hassled by too much government. In rural counties, commissioners generally are responsible for roads and bridges in their own precinct. Other, particularly urban, counties use the unit system, in which a county engineer is responsible for all county roads. In 2020, only 64 counties used the unit system.

**County Judge** Generally, the **county judge** (sometimes called the constitutional county judge) is the most influential county leader. The county judge presides over the commissioners court, has administrative responsibility for most county agencies not headed by another elected official, and in some counties, presides over court cases (but is not required to be a lawyer). The county judge has essentially no formal authority over other elected county officials. Much of the judge's power or influence comes from tradition, leadership skills, playing a lead role in budgeting, and, commonly, higher social status background. During and following disasters, such as a hurricane, county judges usually play a central role in coordinating local response; working with federal, state, and other local jurisdictions; and informing the public. Both Republican Ed Emmett and his successor Democrat Lina Hidalgo of Harris County gained prominence and political capital from their handling of disasters.

**county judge**
An official popularly elected to preside over the county commissioners court, perform some administrative duties, and in smaller counties, hear civil and criminal cases.

**county attorney**
An official elected to represent the county in civil and criminal cases, unless a resident district attorney performs these functions.

**district attorney**
An official elected to serve one or more counties who prosecutes criminal cases, gives advisory opinions, and represents the county in civil cases.

**County and District Attorneys** The **county attorney** represents the state in civil and criminal cases and advises county officials on legal questions. Nearly 50 counties in Texas do not elect a county attorney because a resident district attorney performs those duties. Other counties elect a county attorney but share the services of a **district attorney** with one or more neighboring counties. Where there are both a county and a district attorney, the district attorney generally specializes in district court cases, and the county attorney handles misdemeanors in county and justice of the peace courts. District attorneys tend to be important

figures in the criminal justice system because of the leadership they provide to local law enforcement and the discretion they exercise in deciding whether to prosecute cases. The legal advice of the county or district attorney carries considerable weight with other county officials. Most elected county officials who die or resign before their term ends are replaced by the commissioners court or the county judge. However, district attorney vacancies are filled by the governor.

**Judges** The number of officials in the county justice system varies greatly with the size of the county. The judicial role of the constitutional county judge also varies. In counties with a small population, the county judge may exercise important judicial functions, such as handling probate matters, small civil cases, and serious misdemeanors. In counties with a large population, constitutional county judges are so involved in their political, administrative, and legislative roles that they have little time for judicial functions. Instead, **statutory county courts** have often been established with lawyers for judges and more formal procedures. The kinds of cases they decide (such as civil, criminal, probate, or family law) vary greatly and are set by the statute creating the particular court.

Bail reform has been an issue in Texas for several years, particularly in the large counties. The problem is that a defendant can pay to be released prior to trial if they have enough money for bail, but if not, they must stay in jail until trial. In 2017, a federal appeals court sped up the bail process but did not resolve the issue. The 2018 elections saw the defeat of the mostly Republican statutory county judges who had presided over misdemeanor cases in Harris County and who had fought the change. (A misdemeanor is a lesser crime, such as disorderly conduct or most traffic violations.) The new Democratic judges changed the policy and allowed most misdemeanor defendants to avoid posting cash bail. Federal reports through 2024 found the change did not lead to reoffending, which animated the movement for change in other large counties.[28] In 2021, the legislature passed a bill forbidding the release of violent offenders without cash bail. Controversy continues, particularly with respect to felonies (more serious crimes). After a well-financed campaign, Republicans made major gains in judicial races in 2024, including in Harris and Dallas Counties. Bail was one of the major issues.

Each county has from one to eight justice of the peace precincts. The number is decided by the commissioners court, which may also abolish one or more. (This happened only four times in 2014–24). **Justices of the peace** (commonly called JPs) handle minor civil and criminal cases, including small claims court cases. Most justice of the peace courts (also called justice courts) hear a large volume of legal actions, with traffic cases representing a substantial part of their work. In some counties, they also serve as coroner (to determine cause of death in certain cases) and as a magistrate (to set bail for arrested persons). Similar to the constitutional county judge, they do not have to be lawyers but are required to take some legal training. In 2015, the U.S. Supreme Court ruled in *Obergefell v. Hodges* that same-sex marriage was legal in all 50 states. In 2020, the State Commission on Judicial Conduct issued a Waco justice of the peace a public warning over her refusal to perform same-sex ceremonies because of religious objections. Since performing marriages is optional rather

**statutory county court**
Court created by the legislature at the request of a county; may have civil or criminal jurisdiction or both, depending on the legislation creating it.

**justice of the peace**
A judge elected from a justice of the peace precinct who handles minor civil and criminal cases, including small claims court.

than required for JPs, the commission's opinion suggested she could officiate all marriages or no marriages but not selectively choose one type.

**County Sheriff and Constables** The **county sheriff**, as the county's chief law enforcement officer, appoints deputies and oversees the county jail and its prisoners. In practice, the sheriff's office works with city police but commonly focuses on crime in unincorporated areas and leaves law enforcement in cities primarily to the municipal police. In a county with a population of fewer than 10,000, the sheriff may also serve as tax assessor–collector. In a few rural counties, the sheriff may be the county's most influential leader.

**Constables** assist the justice court by serving subpoenas and other court documents and maintaining order in JP courts as the court's bailiff. They are an example of mission creep—gradual expansion of their duties. They and their deputies are peace officers who commonly play a law enforcement role in rural areas, unincorporated communities, and traffic patrol. In Harris County (Houston), some unincorporated communities pay the county to receive extra patrolling by constables, a controversial program. The commissioners court may declare a constable office dormant if it has been vacant for seven years but may also restore it. There are calls for moving constables into the generally better trained and disciplined sheriff's departments.

**county sheriff**
A citizen popularly elected as the county's chief law enforcement officer; the sheriff is also responsible for maintaining the county jail.

**constable**
An official elected to assist the justice of the peace by serving court papers and, in most cases, carrying out security and investigative responsibilities.

**County Clerk, District Clerk, and County Tax Assessor-Collector** A **county clerk** keeps records and handles various paperwork chores for both the county court and the commissioners court. In addition, the county clerk files legal documents (such as deeds, mortgages, and contracts) in the county's public records and maintains the county's vital statistics (birth, death, and marriage records). The county clerk may also administer elections, but counties with larger populations often have an elections administrator. The **district clerk** maintains records for the district courts.

A county office that has seen its role decline over time is the **county tax assessor–collector**. The title is partially a misnomer. Since 1982, the county-wide **tax appraisal district** has assessed (determined) property values for all of the local governments in the county and may receive payments for them. The tax assessor–collector still collects county taxes and fees and certain state fees, including the license tag fees for motor vehicles and fees for handicapped parking permits. The office commonly handles voter registration, although some counties have an elections administrator.

**county clerk**
An official elected to perform clerical chores for the county courts and commissioners court, keep public records, maintain vital statistics, and administer public elections, if the county does not have an administrator of elections.

**district clerk**
A citizen elected to maintain records for the district courts.

**county tax assessor–collector**
This elected official no longer assesses property for taxation but does collect taxes and fees and commonly handles voter registration.

**tax appraisal district**
The district appraises all real estate and commercial property for taxation by units of local government within a county.

**Treasurer and Auditor** The **county treasurer** receives and pays out all county funds authorized by the commissioners court. Some counties have eliminated the position, but this requires a constitutional amendment approved by a statewide vote. If the office is eliminated, the county commissioners assign treasurer duties to another county office. When voters allowed Tarrant and Bexar Counties to eliminate the office, these counties authorized the county auditor to deal with responsibilities that were once held by the county treasurer. A county of 10,000 or more people must have a **county auditor**, appointed by the county's

district court judges. The auditing function involves checking the account books and records of officials who handle county funds. Some observers worry that allowing the county auditor to be both auditor and treasurer eliminates necessary checks and balances.

## County Finance

Although urban counties spend substantial amounts, they generally provide fewer services and thus spend less than the cities within them. Overall, Texas counties spend less and have less debt than municipalities or school districts. In significant part, this is because the county's power to tax and, to a lesser extent, to spend is limited by the state constitution and laws. Residents and county leaders also tend to see the county's role as limited. Like cities, counties faced increased financial problems because of the Great Recession, the fluctuating price of oil, the pandemic, and the economic readjustments once people returned to work following the pandemic. Nevertheless, increasing demands for services impose an ever-expanding need for money on both urban and rural counties.

**Taxation** The Texas constitution authorizes county governments to collect taxes on property, and that is usually their most important revenue source. Although occupations may also be taxed, no county implements that provision. Each year the commissioners court sets the county tax rate, which is subject to the same limitations as cities (discussed on page 106). Counties may also add onto the state sales tax. Remember, however, that the add-on by all local governments may not exceed 2 cents on the dollar. Just under half of Texas counties, primarily those with smaller populations, impose a sales tax, and most of these set the rate at 0.5 cents.

**Revenues from Nontax Sources** Counties receive small amounts of money from various sources that add up to an important part of their total revenue. All counties may impose fees on the sale of liquor, and they share in state revenue from liquor sales, various motor vehicle taxes and fees, and traffic fines. Like other local governments, counties are eligible for federal grants-in-aid; but over the long term, this source continues to shrink. With voter approval, a county may borrow money through sale of bonds to pay for capital projects, such as a new jail or sports stadium. The Texas constitution limits county indebtedness to 35 percent of a county's total assessed property value.

**county treasurer**
An elected official who receives and pays out county money as directed by the commissioners court.

**county auditor**
A person appointed by the district judge or judges to check the financial books and records of other officials who handle county money.

**Tax Incentives and Subsidies** Like cities, a commissioners court may grant tax abatements (reductions or suspensions) on taxable property, reimbursements (return of taxes paid), or tax increment financing (TIF; the use of future gains in property value to finance current development projects) to attract or retain businesses. An oft-cited example is that, in 2003, Bexar County offered a $22 million tax abatement for a Toyota factory to be built to produce pickup trucks in San Antonio. The offer was part of a complex incentive package put together by state, county, city, and other officials that totaled an estimated $133 million in tax breaks and infrastructure spending. The plant went into operation in

2006, creating more than 2,000 high-paying jobs and contributing to economic development. As with the experience of cities, some projects work well, many do not.

**The Bottom Line** Despite various revenue sources, Texas counties, like other units of local government, are pressured to increase property taxes or to balance their budgets by eliminating or reducing programs and services. Although administrative costs and demands for expanded public services continue to increase, sources of county revenue are not expanding as quickly as demand.

**Expenditures** The state restricts county expenditures in certain areas and mandates spending in others, yet patterns of spending vary considerably from county to county. The greatest variation is between rural and metropolitan counties. Hospitals and health care, public safety, and roads (in that order) are the largest expenditures for Texas counties. This expenditure pattern holds for Texas's largest counties, which also spend smaller, but still significant, amounts on urban amenities (such as parks) and social services (such as housing and welfare). Rural counties tend to spend a large portion of their budget on public safety and roads but little on social services and urban amenities. On what services money is spent makes a difference. A study of local government spending in Texas published in the *Southern Medical Journal* found that spending in four categories was "associated with significant improvements in health outcomes: fire and ambulance, community health care and public health, housing and community development, and libraries."[29] These services are provided by municipalities, counties, and special districts.

Although the county judge, auditor, or budget officer prepares the budget, the commissioners court is responsible for final adoption of an annual spending plan. Preparation of the budget generally enhances the commissioners court's power within county government. Counties do not have complete control over their spending because state and federal rules mandate some county services and regulatory activities. Examples include social services, legal assistance and medical care for people with low incomes, and jail standards. Over the last decade, almost all counties have passed resolutions calling for a state constitutional amendment to ban unfunded mandates, but through 2025, none has had any success in the legislature.

## County Government Reform

Texas counties have various problems: rigid structure and duties fixed in the state constitution and statutes, inefficiency related to too many elected officials and the lack of merit systems (hiring and promoting based on competence rather than who they know), and too little money. Counties with larger populations may establish merit employment systems, and half of those eligible have done so. One often-suggested reform is county home rule to give counties more ability to organize and operate in accordance with local needs and wishes. Research suggests that although county home rule better meets community demands, it also tends to expand county spending.

Different states allow varying degrees of county home rule. Texas is among the states that are most strongly opposed.[30] Until 1969, Texas actually had a home-rule provision for counties in the constitution, but it was too difficult to implement. Reviving a workable version today would be hard to achieve. Many (probably most) county officials prefer the present system, as do many constituents, particularly in those counties outside metropolitan areas.

## Border Counties

The population of counties near the lower Rio Grande has grown markedly because of immigration and trade. Unfortunately, population growth has outstripped economic growth, and the traditionally impoverished region now has even more people in poverty. Many live in **colonias** (depressed housing settlements, often without running water or sewage systems).[31] Estimates identify about 2,300 colonias in Texas, where as many as 400,000 Texans live. Hidalgo County has more colonias than any county in the country. The residents are overwhelmingly Latino, and two-thirds were born in the United States.

**colonia**
A low-income community, typically located in South Texas counties bordering Mexico, that lacks running water, sewer lines, and other essential services.

Minimal efforts have been made by the federal, state, and local governments to deal with problems of the colonias. Residents lack the political power to demand help; local municipalities are reluctant to annex colonias because they

**Image 3.3** Colonias lack infrastructure or utilities.

Lisa Wiltse/Corbis News/Getty Images

Competency Connection
**Critical Thinking**

How should county governments along the border improve the conditions of colonias? Why?

need services rather than bringing resources; and the counties lack resources and are reluctant to expand their roles. Activists and self-help have played an important role in the small victories achieved. Security and public safety are major concerns for residents. For example, Hidalgo County's colonia residents petitioned for streetlights for several decades. Nearly 85 percent of neighborhoods lacked streetlights. In 2007, legislation gave the county authority to install streetlights, but it did not set up a process for collecting fees. In 2015, House Bill 3002, passed without Governor Abbott's signature, allowed Hidalgo County to collect fees to pay for streetlights in colonias. In 2016, streetlights were installed in eight of Hidalgo County's 925 colonias, increasing safety and evening activity. By 2024, the number had only grown to 50. In 2018, the commissioners court required new developments to provide street lighting.

Another major issue for colonias is drainage. Extreme storms have devastated areas in the Rio Grande Valley, particularly in colonias where drainage is lacking and there is nowhere for water to go. Colonias have to wait for counties to bring in pumps after a flood, which takes time. Activists put together a design for a drainage system specific to the needs of colonias. Spanish Palms, located in Hidalgo County, used the system and connected it to the county's drainage ditch, which allowed water to empty out of the colonia. Activists urged other colonia residents to build drainage systems designed for their communities, but funding has lagged. The 2017 legislature cut several programs that benefit the colonias, and Governor Abbott vetoed another. The 2019 legislature proposed and voters approved a constitutional amendment that provides funds for water and wastewater infrastructure in areas such as the colonias. In 2020, a state-financed drainage project helped 13 colonias, but the vast majority still suffered when it rained. By 2024, there was more organization and more knowledge of how to seek grants, but actual projects tended to be few and small compared to the extent of the need.

**Border Security** The flow of undocumented immigrants, drug smuggling, and violence by drug gangs on the Mexican side of the border have created great controversy. The national government has responsibility for border security, but Texas has its own programs, claiming that the federal efforts have not been effective in securing the border. In 2021, Governor Abbott began Operation Lone Star, the ninth program since Governor Perry launched Operation Linebacker in 2005. The latest is the largest in both spending and personnel—$11 billion, 1,600 Department of Public Safety troopers, and 10,000 Texas National Guard members at its height. Border sheriffs and police have also received federal and state money to increase their own capabilities (and, some critics suggest, to discourage criticism). Texas's leaders have been critical of federal border policies, but Texas's actions have also been criticized. Critics say the initiatives seem to coincide with election efforts by the governors; while there have been some successes, many gains claimed don't stand up to close examination; too many migrants, U.S. citizens, and guardsmen have been killed or injured; and the deployment of the National Guard was poorly handled by the state.[32] With the second Trump administration, Texas state leaders and personnel are playing a larger and more cooperative role with federal authorities.

Surveys show that a majority of border residents distrust the Border Patrol, and many complain of intimidation by Department of Public Safety officers from outside the region and the "military occupation." Many, however, welcome the spending they bring. Although violence in Mexico occasionally spills over the Rio Grande, the Texas side remains relatively safe. In spite of great growth in population (usually accompanied by higher crime rates), border cities have long had lower crime rates than the state's largest cities and cities of similar size. Anecdotal evidence suggests, however, that property damage and safety concerns in rural areas near frequently crossed areas of the border have increased.[33]

Since the presidential campaign of 2016, construction of a physical border wall has been a major national and state issue. When the Biden administration decided not to continue building the wall, Governor Abbott announced Texas would. Proponents of the wall believe it necessary to secure the border from illegal crossing and smuggling, particularly of drugs. Opponents argue that walls divide communities, separate families, and cause environmental dislocation. Experts tend to believe that other measures would be more effective in impeding border crossing. Past surveys consistently indicated that the majority of border residents, both in Texas and the rest of the border, opposed completing the wall. Texans as a whole were split, dividing strongly along party lines (Republicans supporting, Democrats opposing). However, both nationally and in Texas, by 2024, opinion had shifted to a majority favoring expanding the wall (again split along partisan lines). By early 2025, it was not clear if opinion had shifted among residents of the border. However, a majority of Texas Latinos supported expanding the wall.[34]

### ✓ 3.4 Learning Check

1. True or False: Local residents of each county can determine the structure of their own county government.
2. What is the major policy-making body in each Texas county?

Answers at the end of this chapter.

# Special Districts

**LO 3.5** Explain the functions of special districts and their importance to the greater community.

**special district**
A unit of local government that performs a particular service, such as providing schools, hospitals, or housing, for a particular geographic area.

**independent school district (ISD)**
Created by the legislature, an independent school district raises tax revenue to support its public schools. Voters within the district elect a board that hires a superintendent, determines salary schedules, selects textbooks, and sets the district's property tax rate.

Among local governments, the least known and least understood are special districts (also called special purpose districts), yet they represent the fastest-growing form of government. They fall into two categories: school districts and noneducation special districts. Both are created by an act of the legislature or, in some cases, by local action (for example, establishing a public housing authority). A **special district** usually has one function and serves a specific group of people in a particular geographic area. Districts can cover more than one county and commonly overlap other local governments, such as municipalities and other special districts.

## Public School Districts

Concerns about education cause local school systems to occupy center stage among special district governments. There are over 1,200 Texas **independent school districts (ISDs)**, created by the legislature and governed by popularly elected, nonsalaried boards of trustees. (Texas also has over 900 charter schools

directly financed and minimally regulated by the state but independent of the school districts.) The district school board selects the superintendent, who by law and practice makes most major decisions about the district's educational programs and who tends to influence other decisions as well. It is the superintendent who is responsible for leading the school district. Major functions of the superintendent include preparing a budget for approval by the board, day-to-day operations, and acting as chief communicator with legislators, media, and parents. Board members, generally local businesspeople and professionals, tend to focus on money issues, such as taxes, budgets, and salaries.

School board elections in Texas are nonpartisan (officially and traditionally in practice), but both parties have formally sought to influence local nonpartisan elections. School elections generally have low voter turnout. In smaller districts, they tend to be friends-and-neighbors affairs, but in larger districts, campaigns often are more organized and conflictual. When school elections or board meetings become heated, it is generally because of sharp divisions within the community over volatile cultural issues, such as sex education or prayer in schools, racial and ethnic conflict (sometimes played out in terms of discipline and dress codes or what history to teach), treatment of LGBTQ+ students, calls for book banning, athletic programs (especially football), or differences over taxing and spending. In the 2020s, conservatives in a number of communities, aided by a network of political consultants and political action committees (PACs) have organized and financed efforts to elect board members and change policies. Some races and meetings have been quite bitter.[35]

Texas school districts make local educational policy in the context of substantial limits, mandates, and influences from the state and federal governments. Texas has long had a highly centralized educational system in which the Texas Education Agency (TEA) places significant limitations on local district decisions. In 1995, the legislature gave school boards increased autonomy but left the TEA with substantial direct and indirect power over local decisions. National influence has been far more limited and targeted than that of the state. Federal involvement has focused on improving the situation of groups historically neglected or discriminated against in Texas education, such as the children of low-income families and language minorities. Districts must comply with federal regulations in areas such as racial and gender nondiscrimination and treatment of students with disabilities.

In addition to the force of law, money is a major source of influence. In academic year 2021–22, school districts raised an average 47 percent of their revenue locally but depended heavily on the 31 percent provided by the state and the 18 percent from the federal government. (An additional 4 percent was transferred from wealthier to poorer districts under the "Robin Hood" law.[36])

Another power of the TEA is to take over districts that perform poorly academically or administratively. In practice, takeovers are rare, but the threat is powerful. In 2023, the TEA announced it would replace the board and superintendent of Houston ISD, the largest district in the state, because of unacceptable state academic ratings at one high school for five consecutive years and misconduct by previous board members. Austin ISD reached an agreement with TEA in the same year to accept monitoring by TEA to avoid a conservatorship for its special

## Students in Action

### Changing School District Policies

Students commonly think of government policy as something imposed on them, not as something they can change. But some San Antonio students found that they can change policy. Ruby Polanco, a senior at San Antonio ISD's Young Women's Leadership Academy, noticed that the district's nondiscrimination statement did not include sexual orientation and gender identity. She soon found that while "not straight" identities were not a problem at the academy, coworkers at her afterschool job and friends from nearby Lanier High School saw a different experience. Her research found that a majority of LGBTQ+ students experienced discrimination.

A key to Polanco's success is that she understood and followed established protocol. She started with a teacher and worked her way up to the district superintendent, the school board president, the area's state senator, and then the school board. "I talked to literally anyone I could get my hands on." She also started an online petition and enlisted the support of other students. The leader of Equality Texas, which for years had lobbied the district unsuccessfully, said that "The fact that [this time] it was a student-led initiative speaks volumes."

Sipa USA/Alamy Stock Photo

The district board unanimously agreed to add sexual orientation, gender identity, and gender expression to its nondiscrimination policies and applied the protections to both students and teachers. Polanco is not sure how much the nondiscrimination policy will change student culture, but she hopes that those affected will feel the support of the district and those who came together to change the policy. In spite of some backlash after the policy's adoption, the policy still stood in 2025.

*Source:* Bekah McNeel, "How One Student Brought LGBTQIA Protections to SAISD," *San Antonio Report*, August 24, 2017, https://sanantonioreport.org/how-one-student-brought-lgbtqia-protections-to-saisd/.

Competency Connection

**Social Responsibility**

Is there a public policy in your community you would like to see changed? How would you go about changing it?

education program. In the Houston ISD, state-appointed superintendent Mike Miles implemented a major program of changes in 85 of the district's 270 schools. Many teachers and administrators were replaced, and new teaching methods were required. Changes were based on the "education reform" movement of the 2000s and 2010s. Results are being watched across the nation. Although TEA claims some past success, research in other states indicates that state takeovers have a low success rate in improving academic performance without a major infusion of funding. Some critics suggest that the 2023 takeover threats were at least partially motivated by state leaders' opposition to local control.[37]

The shared control of public education has been highlighted in recent years by conflicts over state and federal requirements for accountability testing of students. Districts have been forced to spend more time and money on preparing

students for standardized tests. Supporters say that testing has improved student performance and made local schools more accountable. Critics charge that although students are now better at taking tests, they learn less in other areas.

A second challenge for local education is the increasing ethnic and economic diversity of Texas's schoolchildren. For two decades, people of color have been a majority in Texas schools, and for a decade, a majority of Texas students have come from economically disadvantaged families. Meeting their needs is important not only for the children but for the economic health of the entire state.

A third challenge facing Texas schools is finance, which actually has two faces: equity (that is, equal access to similar revenue per pupil) and amount (how much should be spent). In 1987, a state district court (later affirmed by the Texas Supreme Court) held that the state's system for school finance violated the Texas constitution. The basic problem was that poor districts, relying on property taxes, had to tax at a high rate to provide minimum expenditures per pupil. Wealthier districts, on the other hand, could spend much more with significantly lower tax rates. After various attempts to resolve the problem, the issue continues today.

The other school finance issue is the conflict between the increased need for services and the slow growth of funding. The two major sources of funding for school districts (property taxes and state appropriations) have expanded more slowly than demand. The proportion of education funding provided by the state has remained at 40 percent or (mostly) below, and property tax revenue tends to grow slowly and to fluctuate. Texas consistently ranks in the bottom 8–12 states in spending per student.[38]

The property tax is the only local source of tax revenue for Texas public schools. Unlike other local governments, school districts cannot use the sales tax for revenue. Not surprisingly, school districts receive more than 50 percent of property taxes collected in the state. As we saw with other local governments, state laws exempt part of a property's value from taxation for a number of groups. In 2023, school districts lost $17.5 billion to exemptions, 31 percent of what they could have collected.[39] In addition, Chapter 313 was an incentive program that gave tax breaks to lure companies to invest within school districts. The state reimbursed districts for lost revenue. Because it had few checks, few clear successes in attracting companies that were not coming anyway, and high cost, the program was allowed to expire at the end of 2022.[40] However, heavy business lobbying produced a similar program in the 2023 legislature.

In 2019, legislators sought to forcibly slow the growth of property taxes while hopefully increasing the portion of school funding paid by the state. Previously, the state attempted to limit school property tax increases by requiring voter approval of increases over 4 percent. From 2009 to 2018, however, voters approved the increase in 82 percent of the 434 elections. Beginning in 2021, the state would limit school property taxes through a procedure called automatic tax compression. Each year, the state sets a school district's new maximum tax rate based on how much its property value grew. Thus, if a district's property values increase, it is given a lower tax rate. The problem is whether the state will increase its contribution. In 2021, the legislature

did maintain funding levels, but the 2023 legislature's promised increase in funding using part of the state's large budget surplus died in the fight over vouchers.[41] In 2025, with approval of vouchers assured, each house proposed increased education funding but not enough, critics charged, to make up for the previous session's shortfall. At this writing, a compromise had not been passed on property taxes or appropriations.

As mentioned previously, Texas schools are significantly more indebted than cities and counties. This is in largest part because of the cost of facilities that have to be paid for over time, but it is also because of the squeeze between demands and revenue. For more detailed discussions of education policy and finance, refer to Chapter 11, "Finance and Fiscal Policy," and Chapter 12, "Public Policy and Administration."

## Community or Junior College Districts

Another example of a special district is the **community college or junior college district**, which offers two-year academic programs beyond high school, as well as various technical and vocational programs. The latter two may be part of the regular degree and certificate programs or special nondegree training programs to meet local worker and employer needs. Each district is governed by an elected board that has the power to set property tax rates within limits established by the state legislature, issue bonds (subject to voter approval), and adopt an annual budget.

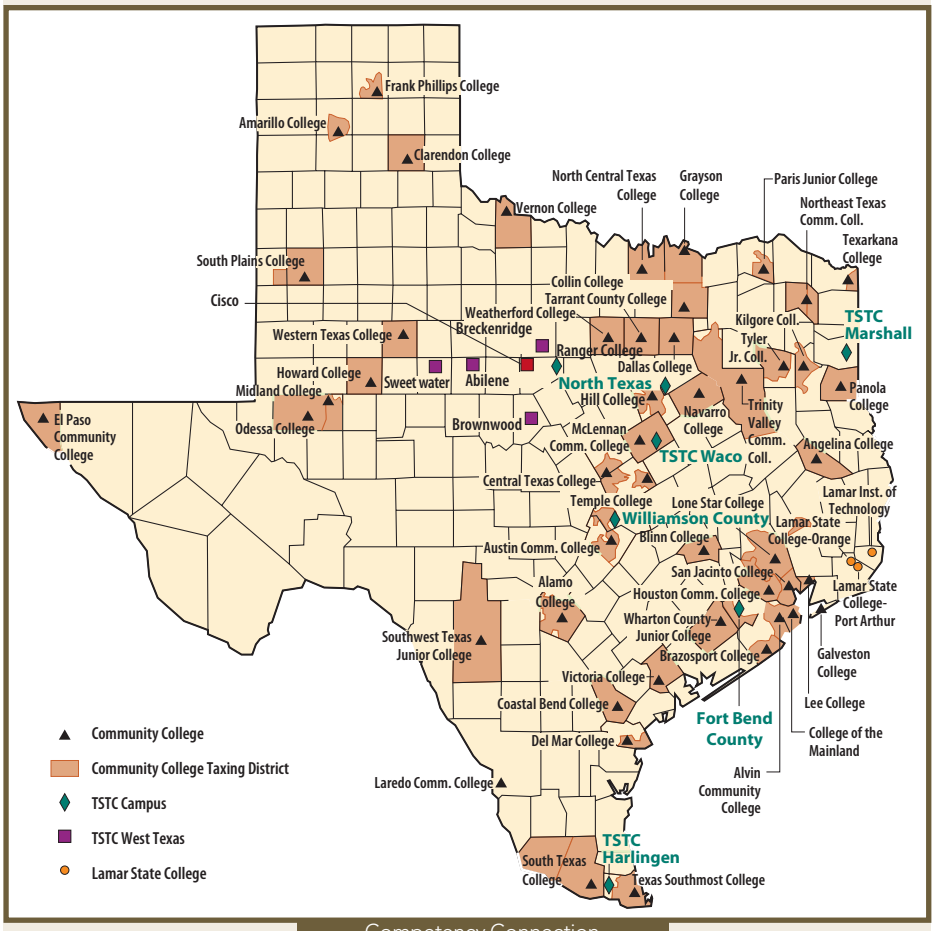
There are 50 districts, and many have multiple campuses. For example, in 2025, Austin Community College (ACC) had 11 campuses. In addition to the community college districts, the Texas State Technical College System (TSTC) has 11 campuses across the state, and the Texas State University System (TSUS) has three two-year colleges in southeast Texas. Unlike community colleges, neither the TSUS's two-year schools nor the TSTC campuses receive financial support from local property taxes. Together, in the fall of 2024, Texas's public two-year colleges enrolled 731,000 students, which exceeded prepandemic levels. Except for the relative parity in 2020–22, community college enrollment has tended to surpass that of public universities. Refer to Figure 3.5 for the locations of these districts.

Community colleges, like state universities and technical colleges, are funded by state appropriations, student tuition and fees, and small amounts of federal aid and private donations. In 2023, the legislature changed state funding from an enrollment focus to an outcomes-based formula, rewarding students earning "credentials of value." Where community colleges differ from public universities is the support that community colleges receive from property taxes raised by the local district. Because of these funds, community colleges are able to charge lower tuition rates than four-year schools. Since 2000, their tuition has also been relatively stable compared to that of universities. Increases in costs have come more from room and board than tuition and fees. Among the states, Texas community colleges are the sixth least expensive for in-state students.

**community college or junior college district**
Establishes one or more two-year colleges that offer both academic and vocational programs.

Research has consistently shown that community colleges stimulate local economies and provide training vital to a region's economic development. They are also positively associated with improvements in health and reductions in crime, welfare costs, and unemployment.[42]

**Figure 3.5** Texas Community, Technical, and State Colleges




Source: Texas Association of Community Colleges, "College District Maps," https://tacc.org/tacc/college-district-maps, and author.

Competency Connection

**Social Responsibility**

How do tuition increases affect student access to and success in higher education?

## Noneducation Special Districts

Texas has almost 2,700 **noneducation special districts** handling a multitude of problems—water, sewage, parks, housing, irrigation, fire, and other emergency services to name a few. Among reasons that Texas has so many special districts, three stand out. First, many local needs—such as mass transit, hospitals, and flood protection—cut across the boundaries of cities and counties. Second, restrictive state constitutional provisions or the unwillingness of local government leaders make it difficult for existing governments to take on new tasks. Hospital districts have been created for both reasons. The closing of many rural and small-town hospitals throughout the state, the financial difficulties of most that remain, the large number of uninsured Texans needing health care, and the COVID-19 pandemic put pressure on hospital districts and made them more visible to officials and the public. In a few recent cases, their board elections have generated heated contests.

**noneducation special districts**
Special districts, other than school districts or community college districts, such as fire prevention or municipal utility districts, that are units of local government and may cover part of a county, a whole county, or areas in two or more counties.

Third, in some cases, individuals create special districts to make money for themselves. For example, real estate entrepreneurs in metropolitan areas have often developed subdivisions in unincorporated areas through the creation of special districts such as municipal utility districts (MUDs). A few employees of the developer can vote in the MUD, which issues bonds. The developer is reimbursed for street, water, and sewage system construction costs with bond proceeds. Homeowner property taxes repay the bondholders. Thus, the developer is reimbursed for initial investment costs, and homeowners ultimately repay these amounts through high property taxes. In 2024, Harris County (Houston) had 347 MUDs and Travis County (Austin) had 60.[43]

The structure and powers of special districts vary. Most are governed by a board, collect property taxes and fees, can issue bonds, and spend money to provide one or more services. Mass transit authorities, such as Houston's Metro or Dallas's DART, rely on a 1 percent sales tax. Depending on the board, members may be elected or appointed, or they may automatically sit on the board because of another position they hold. Most special districts are small and hardly noticed by the general public. Only a few receive continuing public attention. Special districts will remain important because they provide many necessary services. Unfortunately, because they are invisible to most voters, they are the local government most subject to corruption and abuse of power.

**✓ 3.5 Learning Check**

1. What are the two categories of special districts in Texas?
2. Why are special districts so important?

Answers at the end of this chapter.

# Metropolitan Areas

**LO 3.6** Discuss the ways that local governments deal with metropolitan-wide and regional issues.

More than 90 percent of Texans live in metropolitan counties, large cities surrounded by growing suburbs. People living in a metropolitan area share many problems, such as traffic congestion, crime, pollution, and a need for health care. Yet having so many different governments makes effectively addressing problems affecting the whole area difficult. The situation is made worse by differences between central city residents and suburbanites. Most people who live in central cities need and use public facilities, such as bus and rail lines, parks, and public hospitals, whereas many suburban residents have less interest in public services, particularly public transportation. Class and ethnic differences also divide metropolitan communities, especially the central city from many suburbs.

One way to deal with area-wide problems is **metro government** (consolidation of local governments into one "umbrella" government for the entire metropolitan area). Examples include Miami–Dade County, Florida; Louisville–Jefferson County, Kentucky; and Nashville–Davidson County, Tennessee. By 2024, there were 42 consolidated governments of varying combinations around the country, including four in neighboring Louisiana (e.g., the Parish of Orleans and New Orleans). However, there is no significant movement for consolidation in Texas. In 2013 and 2015, bills to allow San Antonio and Bexar County governments to consolidate were introduced in the legislature but had no success.

**metro government**
Consolidation of units of local government within an urban area under a single authority.

## Municipal Annexation

To assist cities grappling with suburban sprawl, the 1963 legislature gave Texas cities **extraterritorial jurisdiction (ETJ)**, or limited authority outside their city boundaries. Cities' power under ETJ was radically reduced in 2019. But during its half century of life, it profoundly affected Texas's metropolitan areas. Within its ETJ, a home-rule city could regulate aspects of development and make contiguous unincorporated areas part of the city (**annex**) without a vote by those who live there. In fiscal year 2018 (the year before the change), 51 cities annexed and one de-annexed territory. Texas cites retain their ability to regulate land use within their ETJ, but the 2023 legislature gave ETJ residents the ability to exit the ETJ by petition or election.

Texas's larger cities, particularly central cities, strongly supported ETJ. In most states, central cities are surrounded by incorporated suburbs and cannot expand. Because of ETJ, however, Texas's central cities are much larger in physical size than cities in other states. By capturing part of the revenue growth of Texas's expanding metropolitan areas, they were also financially healthier than those in many other states. Attitudes of people living in a city's ETJ varied. Communities with few urban services (such as police, fire, and sewer) were often happy to be annexed. However, established communities generally objected strenuously to being "gobbled up" without their permission. The result was a long, central city–suburb conflict fought in the courts and legislature and eventually won by the suburbs.

The 2017 and 2019 legislatures made unilateral annexation unlikely. With the changes, annexation is likely only for communities wanting city services. The major cities worry about problems with regional planning and revenue. Opponents of annexation emphasize freedom, property rights, and maintaining their communities. Losers are suburban poor and ethnic minority communities who will have more difficulty obtaining urban services.[44]

## Councils of Governments

The one thriving, if somewhat minimal, approach to coordinating metropolitan efforts in Texas is provided by councils of government. Looking beyond city limits, county lines, and special district boundaries requires expertise from planners who think regionally. In the 1960s, the Texas Legislature created the first of 24 regional planning bodies known as **councils of governments (COGs)** or, in some areas, planning/development commissions/councils (Figure 3.6).

COGs are voluntary associations of local governments. Staff employees do regional planning and provide services requested by member governments or directed by federal and state mandates. Their expertise is particularly useful in applying for and implementing state and federally funded programs. COGs also provide a forum where local government leaders can share information with each other and coordinate their efforts. The value of COGs is to provide a mechanism and resources for coordination and planning for those who want to work together. An occasional source of conflict is how voting power should be distributed between entities with widely varying population. In November

### ✓ 3.6 Learning Check

1. What were the two primary ways that Texas dealt with problems in metropolitan areas?
2. Which groups want to be annexed? Which do not?

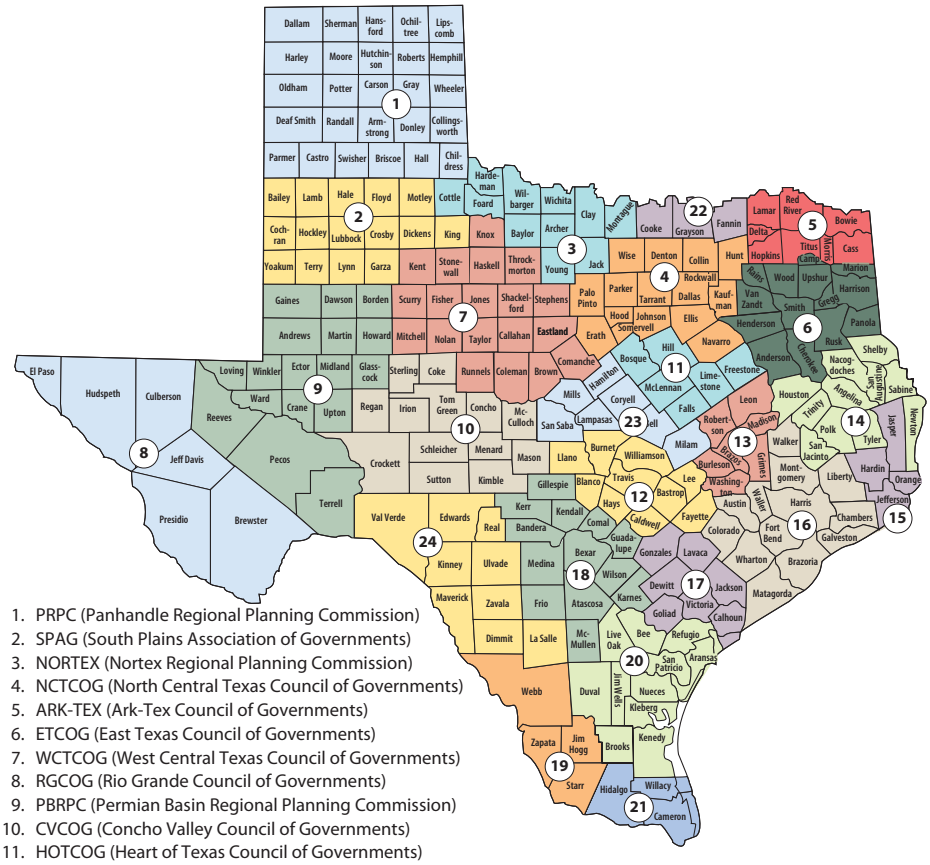
Answers at the end of this chapter.

**extraterritorial jurisdiction (ETJ)**
The limited authority a city has outside its boundaries. The larger the city's population size, the larger the reach of its ETJ. This authority was radically reduced in Texas in 2019.

**annex**
To make an outlying area part of a city. Now, this must be done by vote or petition of those to be annexed.

**council of governments (COGs)**
A voluntary association of local governments to assist in regional planning, development, and cooperation. Provides expert assistance on federal and state grants.

**Figure 3.6** Texas Councils of Governments




1. PRPC (Panhandle Regional Planning Commission)
2. SPAG (South Plains Association of Governments)
3. NORTEX (Nortex Regional Planning Commission)
4. NCTCOG (North Central Texas Council of Governments)
5. ARK-TEX (Ark-Tex Council of Governments)
6. ETCOG (East Texas Council of Governments)
7. WCTCOG (West Central Texas Council of Governments)
8. RGCOG (Rio Grande Council of Governments)
9. PBRPC (Permian Basin Regional Planning Commission)
10. CVCOG (Concho Valley Council of Governments)
11. HOTCOG (Heart of Texas Council of Governments)
12. CAPCOG (Capital Area Council of Governments)
13. BVCOG (Brazos Valley Council of Governments)
14. DETCOG (Deep East Texas Council of Governments)
15. SETRPC (South East Texas Regional Planning Commission)
16. H-GAC (Houston-Galveston Area Council)
17. GCRPC (Golden Crescent Regional Planning Commission)
18. AACOG (Alamo Area Council of Governments)
19. STDC (South Texas Development Council)
20. CBCOG (Coastal Bend Council of Governments)
21. LRGVDC (Lower Rio Grande Valley Development Council)
22. TEXOMA (Texoma Council of Governments)
23. CTCOG (Central Texas Council of Governments)
24. MRGDC (Middle Rio Grande Development Council)

Source: Reprinted by permission of the Texas Association of Regional Councils, http://www.txregionalcouncil.org/regional-councils/.

Competency Connection

**Critical Thinking**

Why does Texas have so many governments? Are COGs really necessary?

2023, Houstonians voted by a 2–1 margin that either the Houston-Galveston Area Council give Houston and Harris County population-proportional representation in decision-making or they would leave the organization. Advocates argued that both entities had been shorted on flood relief and outvoted on major decisions such as expansion of Interstate 45. Nevertheless, both entities renewed their membership the following year rather than lose out on the millions of dollars channeled through the COG.

## Keeping Current

### Elections and the Legislature

Recent years have seen a great deal of conflict (and some cooperation) over local government, its policies, and its leaders. Underlying the conflicts are the differences between residents of central cities, suburbs, and small town/rural Texas. Adding to the conflicts has been the growth in the power of the partisan divide. With the exception of Fort Worth, Texas's largest cities have become Democratic and somewhat progressive, most rural areas Republican and conservative, and suburbs more split than in the past. The growth of population and income has increased demands for government services in both central cities and suburbs, with differences over which services should be provided. Rooted in small town/rural Texas and parts of the suburbs, the legislative majority has waged war on local governments with which they disagree, particularly those of the metropolitan areas. Partisanship plays a major role in this conflict.

Traditionally, city government and school district politics were mostly a local concern. Only a few issues rose to statewide attention. However, some recent policy differences have turned bitter and mixed state and local concerns: high-stakes testing, school vouchers, property taxes, school funding, voting and elections, border security and immigration, cultural issues (such as race/ethnicity and gender identity), and city and county governments extending their concerns beyond traditional services.

## Conclusion

Local governments deliver a substantial number of government services directly to their residents. The success of these governments depends heavily on the actions and cooperation of other local governments and the two levels above them (state and national). What local governments do is largely shaped by three forces: formal rules (such as laws, the way governments are organized, and election rules), socioeconomic forces (such as economic power, social class, and ethnic/racial cooperation and conflict), and the efforts of individuals and groups. Texas has three kinds of local government (municipalities, counties, and special districts) with differences in structure and behavior both within each type and between types. Understanding the basic forces at work in local government helps those who want to make a difference apply the principles of government organization and popular participation to the issues affecting their own community.

## Chapter Summary

**LO 3.1 Explain the relationships that exist between a local government and other governments, including national, state, and other local governments.**
Local governments are part of the federal system and thus are affected by decisions made by state, national, and other local governments. Under Texas law and its constitution, local governments are largely limited to what is required

or permitted by the state. Even with these limits, however, local governments traditionally make a wide range of important decisions. In recent years, state leaders have reduced local authority in many areas.

**LO 3.2 Describe the forms of municipal government organization.** Texas has two legal classifications of municipalities: general-law cities and home-rule cities. Large municipalities have home-rule charters developed by local residents that spell out the structures and powers of the individual city, whereas a small municipality is prescribed a charter by the legislature. Texas law allows four forms of municipal government: strong mayor–council, weak mayor–council, council–manager, and commission. The council–manager form is used by a majority of home-rule cities.

**LO 3.3 Identify the rules and social issues that shape local government outcomes.** Although local governments provide the most direct contact between residents and their government, voter apathy at this level remains a problem. This situation is unfortunate because local governments are important to most Texans' day-to-day lives. Election rules for local governments and the way they are organized make a difference in who is elected and who benefits from government.

Elections for cities and special districts are nonpartisan in law and generally in practice, and most are organized as either at-large or single-member districts. The increased use of single-member districts; greater pluralism; and the growing number, organization, and political activity of Texans of color are changing the face of local governments. Formal rules and socioeconomic change help shape the way government works, including who gains and who loses from government decisions. City governments focus primarily on delivering basic services—police and fire protection, streets, water, sewer and sanitation, and often parks and recreation. They also regulate important aspects of our lives, such as construction and food service sanitation. The two major sources of revenue for cities are property taxes and the sales tax. Counties rely primarily on property taxes. Both cities and counties are having a difficult time as they face increasing demands for services from their residents, the state, and the national government. As a result, local governments are utilizing fees and taking on debt because of limited revenue sources. Economic fluctuations, the COVID-19 pandemic, protests, and natural disasters have provided challenges to all local governments.

**LO 3.4 Analyze the structure and responsibilities of counties.** County governments have fragmented organizational structures and powers restricted by the Texas constitution, laws, and custom. Counties must provide an array of services, conduct elections, and enforce state laws. Actual governmental activities vary greatly between metropolitan and rural counties, with the former providing more services. Metropolitan counties are trending Democratic; rural counties remain largely Republican. Various county officials are policy makers, but the major policy maker is the commissioners court, composed of the county judge (who generally leads) and four elected commissioners.

**LO 3.5 Explain the functions of special districts and their importance to the greater community.** The many special district governments provide public schools, community colleges, and a multitude of other services such as hospitals and mass transit. School districts are locally managed by an elected school board and an appointed superintendent

but are heavily regulated by the state. Although noneducation special districts are important for the many services they provide, many voters are unaware of them. This lack of public attention allows some to be subject to fraud and manipulation.

**LO 3.6 Discuss the ways that local governments deal with metropolitan-wide and regional issues.** Dealing with metropolitan-wide problems is a difficult task. To do so, Texas relies heavily on councils of governments that are designed to increase cooperation. Annexation remains a controversial process and is now largely voluntary and much less likely to be used. Presently, metro government is unlikely to be adopted.

## Key Terms

annex, p. 129
at-large election, p. 96
bond, p. 108
civil society, p. 103
colonia, p. 120
commission form, p. 95
commissioners court, p. 112
community college or junior college district, p. 126
constable, p. 117
council of governments (COGs), p. 129
council–manager form, p. 93
county, p. 110
county attorney, p. 115
county auditor, p. 118
county clerk, p. 117
county judge, p. 115
county sheriff, p. 117
county tax assessor–collector, p. 117
county treasurer, p. 118
cumulative voting, p. 98
Dillon's Rule, p. 86
descriptive representation, p. 100
district attorney, p. 115
district clerk, p. 117
extraterritorial jurisdiction (ETJ), p. 129
general-law city, p.89
grassroots, p. 86
home-rule city, p. 89
independent school district (ISD), p. 122
initiative, p. 90
intergovernmental relations, p. 88
justice of the peace, p. 116
metro government, p. 128
middle class, p. 95
municipal (city) government, p. 89
noneducation special districts, p. 127
nonpartisan election, p. 95
ordinance, p. 89
property tax, p. 106
recall, p. 90
redistricting, p. 97
referendum, p. 90
single-member district, p. 96
special district, p. 122
statutory county court, p. 116
strong mayor–council form, p. 91
substantive representation, p. 101
tax appraisal district, p. 117
tax increment reinvestment zone (TIRZ), p. 109
term limit, p. 98
weak mayor–council form, p. 92
working class, p. 95

## Learning Check Answers

✓ 3.1

1. Local governments have the greatest flexibility under the Cooley Doctrine. Under Dillon's Rule, which is followed closely in Texas, local governments can do only those activities permitted by the state.
2. The relations among the three levels of government and among the various local governments are marked by both cooperation and conflict.

**✓ 3.2**

1. The two legal classifications of cities in Texas are general-law and home-rule cities. A home-rule city has more flexibility because it establishes its own charter, which specifies its form and operation. A general-law city has a charter set in law by the Texas Legislature.
2. The council–manager form of municipal government is most common in Texas's larger home-rule cities, although the strong mayor–council form is often used in the U.S.'s largest cities.

**✓ 3.3**

1. Single-member districts and cumulative voting are most likely to increase the representation of persons of color in government. Redistricting may help or hurt, depending on how lines are drawn.
2. Most revenue of local governments comes from property taxes and, for some, sales taxes, but these two sources are frequently inadequate to meet the demands.

**✓ 3.4**

1. False. The structure of county governments is determined by the state constitution.
2. The major policy-making body in each Texas county is the commissioners court.

**✓ 3.5**

1. The two categories of special districts in Texas are school districts and noneducation districts.
2. Many local needs cut across boundaries of cities and counties; and limitations in the state constitution and the unwillingness of some officials to act make it difficult to take on new tasks. Special districts can take on these responsibilities.

**✓ 3.6**

1. The two primary ways Texas dealt with problems in metropolitan areas were through councils of government and annexation, which is now weakened.
2. Unincorporated communities lacking services, such as police and sewers, often want to be annexed. Established communities with existing services generally oppose annexation.