



AJ LOUDERBACK

TEXAS HOUSE OF REPRESENTATIVES · DISTRICT 30

Dewitt · Goliad · Jackson · Lavaca · Matagorda · Victoria



February 14, 2025

The Honorable Mike Bennett
127 N Courthouse Square
Goliad, TX 77963

Judge Bennett:

Recently, you spoke to me on the phone with the request that I, as your State Representative, introduce legislation to eliminate one of Goliad County's two constable positions. Several days later, Commissioners Court passed a resolution formally asking the Texas Legislature to take this action as well, which my office has received.

In response to your inquiry, my staff and I did our due diligence and researched the County's authority to change the number of elected constables under current law. Art. V, Sec. 18(a), Texas Constitution, provides that "*[e]ach county in the State with a population of less than 18,000...shall be designated as a single precinct or, if the Commissioners Court determines that the county needs more than one precinct, shall be divided into not more than four precincts.*" That Section continues to say that "*[a] division or designation under this subsection shall be made by the Commissioners Court provided for by this Constitution.*" Upon examining this provision, I sought legal input from the House of Representatives. After consultation, I have determined that Commissioners Court has the sole authority necessary to take such action under Art. V, Sec. 18(a), Texas Constitution.

The safety and security of the citizens of Goliad County must be the primary focus in this matter. I believe that the elimination of an elected law enforcement position in the county can have a dangerous impact on public safety, law and order. I strongly encourage the Commissioners Court to hold public hearings and have discussions with voters on this matter and, ultimately, put the matter up for a direct vote of the people of Goliad to decide the fate of this position if it is the desire of the Commissioners Court to proceed. In the end, it is the security of the peoples' property and their families that could be most impacted here.

Thank you for engaging our office on this matter.

Sincerely,

Representative AJ Louderback

CC: Goliad County Commissioners