

The state's most sweeping effort at undermining local power was set to take effect Sept. 1, but a court ruling from Travis County District Judge Maya Guerra Gamble has halted its implementation. House Bill 2127, authored by state Rep. Dustin Burrows, R-Lubbock, is better known by the name given to it by the bill's opponents (and embraced by its supporters) – the “Death Star” law. You know, the weapon created by the fascistic villains in *Star Wars*, designed to decimate entire planets.

The exact effects of the law are yet to be known because of its broad approach to preempting a range of local codes that fall into eight policymaking categories:

- Labor
- Agriculture
- Finance
- Business and commerce
- Insurance
- Natural resource protections
- Occupational law
- Property law

It also adopts the “vigilante” litigation model Texas Republicans used to restrict abortions throughout the state before *Roe* fell. Plaintiffs would be able to file a lawsuit against a specific local ordinance, claiming it is in violation of the “Death Star” law, and attempt to overturn it in court.

In Austin, the city's Law Department has identified several local ordinances that could be threatened. Austin's historic ordinance mandating water breaks for construction workers, passed in 2010, is probably the most publicized, and it's likely to be the target of legal challenge. But other local measures in jeopardy include the city's Fair Chance Hiring Ordinance, which helps prevent employment discrimination against people with criminal

convictions; regulations on predatory payday lenders; and nondiscrimination rules that exceed those required by federal law.

Mayor Kirk Watson, who will be tasked with shepherding City Council through crafting ordinances that can withstand a “Death Star” lawsuit, said in a statement that he expects the process to be “unavoidably messy” due to the statute's “vague and broad” language. “We'll have to evaluate every proposed ordinance through the filter of this statute,” he said, “and I suspect a lot of regulated industries will be doing the same thing and looking for ways to argue that they're no longer subject to our regulation.”

That vagueness factored into Judge Gamble's decision declaring the law unconstitutional. That followed an Aug. 30 hearing in the lawsuit filed by the City of Houston. Attorneys for cities in the case argued that the law – intended to preempt a raft of local ordinances regulating an array of industries – was too vague to be enforceable. The state, which served as defendant in the suit, is likely to appeal Gamble's ruling.

The Houston suit was filed in July, and shortly after, San Antonio and El Paso joined the suit; city officials in Denton, Plano, Waco, and Arlington have also filed amicus briefs in the case supporting the plaintiff claims. Austin did not formally join the suit, but following Gamble's ruling a spokesperson said the city was “pleased” with the court's decision. “The court clearly recognizes the challenges facing cities trying to comply with the ‘Death Star’ bill by ruling it unconstitutional,” the spokesperson continued. “The city will continue to conduct business as normal as the litigation flows through the courts.” ■

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NOTICE OF PUBLIC HEARING ON 2023 ON TAX INCREASE

A tax rate of .10 per \$100 valuation has been proposed by the governing body of the Travis County Emergency Service District No. 5.

PROPOSED TAX RATE:	\$0.10 PER \$100
NO NEW REVEUNE TAX RATE:	\$0.0886 PER \$100
VOTER APPROVAL TAX RATE:	\$0.0906 PER \$100
DE MINIMIS RATE	\$0.1052 PER \$100

The no new revenue tax rate is the tax rate for the 2023 tax year that will raise the same amount of property tax revenue for the TRAVIS COUNTY EMERGENCY SERVICE DISTRICT NO. 5 for the same properties in both 2022 tax year and the 2023 tax year.

The voter approval tax rate is the highest tax rate the TRAVIS COUNTY EMERGENCY SERVICE DISTRICT NO. 5 may adopt without holding an election to seek voter approval of the rate.

The de minimis rate is the rate equal to the sum of the no-new-revenue maintenance and operations rate for TRAVIS COUNTY EMERGENCY SERVICE DISTRICT NO. 5, the rate that will raise \$500,000, and the current debt rate for TRAVIS COUNTY EMERGENCY SERVICE DISTRICT NO. 5

The proposed tax rate is greater than the no new revenue tax rate. This means that TRAVIS COUNTY EMERGENCY SERVICE DISTRICT NO. 5 is proposing to increase property taxes for the 2023 tax year.

A public hearing on the proposed tax rate will be held September 7th at 6:00 p.m. in the Training Room, of Manchaca Fire/Rescue Station 501 at 665 W. FM 1626, Manchaca, Tx 78652.

The proposed tax rate is greater than the voter-approval tax rate but not greater than the de minimis rate.

However, the proposed tax rate exceeds the rate that allows voters to petition for an election under Section 26.075, Tax Code. If TRAVIS COUNTY EMERGENCY SERVICE DISTRICT NO. 5 adopts the proposed tax rate, the qualified voters of the TRAVIS COUNTY EMERGENCY SERVICE DISTRICT NO. 5 may petition the TRAVIS COUNTY EMERGENCY SERVICE DISTRICT NO. 5 to require an election to be held to determine whether to reduce the proposed tax rate. If a majority of the voters reject the proposed tax rate, the tax rate of the TRAVIS COUNTY EMERGENCY SERVICE DISTRICT NO. 5 will be the voter-approval tax rate of the TRAVIS COUNTY EMERGENCY SERVICE DISTRICT NO. 5.

YOUR TAXES OWED UNDER ANY OF THE ABOVE RATES CAN BE CALCULATED AS FOLLOWS:

$$\text{Property tax amount} = (\text{tax rate}) \times (\text{taxable value of your property}) / 100$$

The members of the governing body voted on the proposed tax increase as follows:

FOR: Reed Boyd, Tom Dodds, Dennis Wright, Judy Canion, Tom Quirk

AGAINST:

PRESENT and not voting:

ABSENT:

The 86th Texas Legislature modified the manner in which the voter approval tax rate is calculated to limit the rate of growth of property taxes in the state.

The following table compares the taxes imposed on the average residence homestead by TRAVIS COUNTY EMERGENCY SERVICE DISTRICT NO. 5 last year to the taxes proposed to be imposed on the average homestead by TRAVIS COUNTY EMERGENCY SERVICE DISTRICT NO. 5 this year:

	2022	2023	CHANGE
Total Tax Rate (per \$100 of value)	\$0.100000	\$0.10	N/A
Average homestead taxable value	\$427,708	\$468,270	\$40,562 or 9.05%
Tax on average homestead	\$427	\$468	increase of 41.00 or 9.16%
Total tax levy on all properties	\$2,614,677	2,963,584	increase of \$348,907 or 12.51%

For assistance with tax calculations, please contact: The Office of the Travis County Tax Assessor-Collector Bruce Elfant, Tax Assessor-Collector | P.O. Box 1748 | 5501 Airport Blvd. (512)854-3858 | tnt@traviscountytx.gov



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