

**CITY OF SEABROOK  
RESOLUTION 2023-06**

**OPPOSING HB 2127 AND SB 814**

**A RESOLUTION OPPOSING HOUSE BILL 2127 AND ITS COMPANION SENATE BILL 814 AND ANY SIMILAR OR SUBSTITUTE LEGISLATION THAT WOULD PREMPT THE LOCAL REGULATION OF BUSINESSES, AGRICULTURE, FINANCE, INSURANCE, LABOR, NATURAL RESOURCES AND OCCUPATIONS TO THE STATE BY PROHIBITING LOCAL GOVERNMENTS FROM IMPOSING OR ADOPTING CERTAIN RULES, REGULATIONS LICENSES, PERMITS OR REQUIREMENTS, AND ANY ASSOCIATED FEES; THAT WOULD REMOVE EXISTING LOCAL REGULATIONS; OR THAT WOULD LIMIT LOCAL GOVERNMENTS IN MODIFYING OR IMPOSING REGULATIONS THAT BEST FIT THE CITY.**

**WHEREAS**, February 9, 2023, House Bill 2127, relating to the preemption of a local government to set regulating codes that are in conflict with the state codes in agriculture, finance, insurance, labor, natural resources and occupations was filed; and

**WHEREAS**, February 9, 2023, Senate Bill 814, also relating to the preemption of local government to set regulating codes was filed; and

**WHEREAS**, these bills would expressly preempt the local regulation of businesses, professions, and occupations to the State of Texas by prohibiting local governments from imposing or adopting certain rules, regulations, licenses, permits, or requirements, and any associated fees; and

**WHEREAS**, these bills would supersede all local government regulations on businesses in addition to creating an administrative burden on prior adopted regulations already in effect to other businesses. An administrative process not funded but mandated for local officials to sort out and carry out with this legislation; and

**WHEREAS**, in the best interest of local governance to maintain rules and regulations for the betterment of the community and constituency in which they serve, the field preemption proposed in House Bill 2127 and Senate Bill 814 should not be approved without narrowing the specific impacts to municipalities; and

**WHEREAS**, the broad proposal of prohibiting a local municipality to repeal numerous local laws through the review of hundreds of pages of local codes in addition to review of references to the corresponding state code, is an unfunded mandate that is sweeping and fiducially poses a financial burden back on municipalities; and

**WHEREAS**, with the ambiguity of the bills and their potential expansive reach, a municipality would have added exposure to unnecessary potential litigation from individuals that could file lawsuits against local governments; and

**WHEREAS**, a local governing body is required to live and abide within the area it is elected to serve, and local ordinances stand to serve each community based on its unique design and characteristics through public input; therefore removing the decision power at a local level on the issues that local officials must respond to their constituents, is a degrading of the system; and

**WHEREAS**, the Mayor and City Council strongly oppose these bills and any similar or substitute legislation that would preempt the local regulations, sunset local regulations, or would limit local governments in modifying or imposing local regulations; and

**WHEREAS**, the City of Seabrook opposes both HB 2127 and SB 814 that dissect the very lines of communication created at every level of government that serve to best represent all.

**NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF SEABROOK, TEXAS:**

**Section 1.** The City of Seabrook City Council hereby opposes House Bill 2127 and Senate Bill 814 and any similar or substitute legislation that would preempt the local regulations to the State of Texas by prohibiting local governments from imposing or adopting certain rules, regulations, licenses, permits or requirements and any associated fees; would supersede local regulations; or that would limit local governments in modifying or imposing their own regulations.

PASSED AND APPROVED this 2<sup>nd</sup> day of May, 2023.

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Thomas G Kolupski  
Mayor

ATTEST:

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Robin Lenio  
City Secretary

APPROVED AS TO FORM:

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Olson & Olson  
City Attorney