

IN THE COMMISSIONERS COURT OF
DICKENS COUNTY, TEXAS

STATE OF TEXAS

§

COUNTY OF DICKENS

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§

RESOLUTION AND ORDER

BE IT REMEMBERED, at a regular meeting of the Commissioners Court of Dickens County, Texas, held on the 11th day of March, 2024, on motion made by Charlie Morris, Commissioner for Precinct 3, and seconded by Greg Arnold, Commissioner for Precinct 4, the following Resolution was adopted:

WHEREAS, the right of the people to vote free from undue harassment or influence is a cornerstone feature of the republican form of government required and guaranteed by Article IV, § 4 of the United States Constitution and Article I, § 2 of the Texas Constitution; and

WHEREAS, Texas Election Code §§ 61.003 and 85.036 protects this right by banning loitering or electioneering within 100 feet of the outside door to any polling place or any early voting polling place; and

WHEREAS, Texas Election Code §§ 61.003(a-1) and 85.036(b) authorizes a public entity to “enact reasonable regulations concerning the time, place, and manner of electioneering” with respect to a public building being used as a polling place or early voting polling place; and

WHEREAS, Dickens County owns a number of properties for public benefit, and has the inherent right to ensure those properties are used for general public benefit and not for the benefit of any particular candidate for office; and

WHEREAS, Dickens County uses the Dickens County Courthouse, the Dickens County Courthouse Annex, and other public buildings in Dickens County as polling places or early voting polling places;

BE IT NOW RESOLVED that the Commissioners Court of Dickens County enacts the following regulations which it expressly finds to be a reasonable exercise of its authority to regulate the time, place, and manner of electioneering:

1. Campaign signs and similar electioneering materials may be placed for display on County property or grounds under County control during polling within a zone no closer than 100 feet nor further than 150 feet from the outside door of the Dickens County Courthouse, the Dickens County Courthouse Annex, or any public building under the permanent or temporary control of the Clerk for use as a polling place, on Election Day or during any period of early voting;

2. No signs may be posted, displayed, or placed on any other property owned by or under the control of Dickens County;

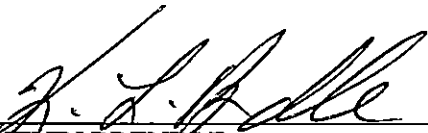
3. Individuals wishing to distribute campaign literature may set up stations or tables at

which prospective voters may voluntarily pick up such literature within the zone described in paragraph (1), so long as reasonable precautions are taken to avoid littering;

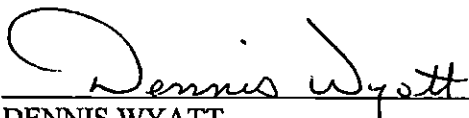
4. Subject to any definitive ruling of a court of law regarding First Amendment rights, including *Minnesota Voters Alliance v. Mansky*, 585 U.S.1 (2018), no person may approach prospective voters for the purpose of electioneering on any property owned by the County, and no person may impede any voter from approaching and entering a polling place on any property owned by the County; and

5. In no event can the signs or literature distribution points described in any of the foregoing paragraphs be placed in the right-of-way of a highway or a county road, or in a manner calculated or reasonably likely to impede any voter from approaching and entering a polling place or early voting polling place.


DONE IN OPEN COURT on this the 11th day of March, 2024.




KEVIN BRENBLE
DICKENS COUNTY JUDGE



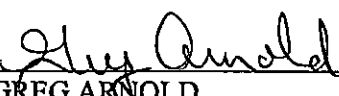
DENNIS WYATT
COMMISSIONER, PRECINCT 1



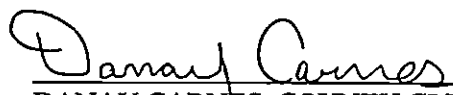
MIKE SMITH
COMMISSIONER, PRECINCT 2



CHARLES MORRIS
COMMISSIONER, PRECINCT 3



GREG ARNOLD
COMMISSIONER, PRECINCT 4

ATTEST: 

DANAY CARNES, COUNTY CLERK

