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PRESS RELEASE

FOR IMMEDIATE RELEASE
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**COUNTY ATTORNEY WILL TESTIFY IN AUSTIN AGAINST
WEAKENING COLONIAS REGULATIONS**

The Texas Senate Committee on International Relations and Trade will conduct hearings aimed at strengthening state law that prevents the creation of new colonias lacking basic water/wastewater infrastructure. The hearings come in response to recent proposals to water down existing colonias legislation.

The legislation, known as Economically Distressed Areas Program (“EDAP”), was originally enacted in 1989 and made it illegal for land owners to create residential sub-divisions without water and sewage service in the outlying areas of the counties. Among other requirements, land owners had to comply with a “build-it or bond-it” provision, which required them to either build the necessary infrastructure before the sale of the plots, or post a financial assurance to guarantee that they would build it within the time declared in their plans.

Last year a bill was filed which would have limited developers’ financial responsibility to install water supply or sewer facilities to no more than three years.

El Paso County Attorney José Rodríguez believes the proposed amendment would have opened the door for the development of new colonias, creating new problems that will later have to be resolved by the intervention of individual homeowners and taxpayers’ money.

“The Model Rules and the EDAP program have efficiently stopped the development of new colonias in El Paso County for over a decade. The State needs to be

informed that the proposed changes will endanger the viability of the program”, said County Attorney José Rodríguez.

“The State needs to not only continue with the current program, but to also approve new legislation which gives county government legal authority to regulate land development and enact basic plumbing, fire and building codes”.

Under current Texas law, county governments do not have land use powers to secure the orderly and healthy development of residential areas outside city limits.

“Some of the most severe problems El Paso County residents suffer, like flooding in the Mowad and Sparks sub-divisions, and the establishment of environmentally dangerous businesses next to residential areas, arise from the County Commissioner’s inability to enact appropriate rules”, explained Rodríguez.

“I will request that the Texas Legislature give county government more legal powers to guarantee its residents the quality of life that every citizen in the United States deserves”, concluded Rodríguez.

El Paso County Attorney José Rodríguez, along with Assistant County Attorney Erich Morales, will testify in front of the Senate Committee on International Relations and Trade in Austin on Tuesday October 24, 2006 at 9:00 AM.

WHO: El Paso County Attorney José R. Rodríguez

WHAT: Colonias Regulation Testimony

WHEN: Tuesday October 24, 2006 at 9:00 AM

**WHERE: Capitol Extension, Room E1.012
Austin, TX.**