

May 26, 2026

Written Comments: League of Independent Voters of Texas

The League of Independent Voters of Texas (LIV), a nonprofit, qualified 501c4 organization, offers these written comments (including the attached two-page handout referenced below) for inclusion in the public record of today's (May 26, 2026) Bastrop Commissioners Court public hearing (Agenda Items D. 11 and D. 14).

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## Summary of Requests to the Bastrop County Commissioners Court

- **Adopt a "No Corporate Welfare" Stance:** We request the County reverse course and adopt a formal policy prohibiting special tax breaks or preferential treatment for private corporations. Public funds and tax bases should support public infrastructure, not private profit margins.
- **Table Order 2026-09 (Texas Enterprise Zone Program):** We urge the Court to take no action on this nomination. The Texas Enterprise Zone Program carries significant "strings" and long-term commitments that have not been fully explained to the public. The County should not volunteer to facilitate state-level corporate subsidies without a clear, public mandate.
- **Postpone the June 8 Tax Abatement Policy Review:** We request the Court reschedule the planned June 8 meeting to a later date. The public and the Court require more time to audit the existing Policy for sufficient "guardrails." Specifically, any future policy must include:
  - **Local Hiring Mandates:** A minimum 35% hiring quota for Bastrop County residents (aligned with EZP standards).
  - **Enforceable Clawbacks:** Mandatory, audited accountability measures that trigger an immediate return of incentives if hiring or investment targets are missed.
- **Commit to Transparent Public Engagement:** We ask the Court to host a series of dedicated, single-issue public meetings in June. These sessions must be focused exclusively on economic development incentives—beyond just data centers—to allow for genuine, two-way dialogue with your constituents.
- **Ban Non-Disclosure Agreements (NDAs) for Public Deals:** We call on the Court to resolve never again to sign NDAs with private entities, such as the one reportedly used for EdgeConneX. NDAs are not required by state law, and their use by public officials creates a "secrecy-first" culture that undermines public trust and creates questionable legal liability for the County.
- **End the "Discretionary Secrecy" of Negotiations:** While the Texas Open Meetings Act (§ 551.087) *allows* for closed sessions regarding economic development, it **does not require them**. We request a resolution that the Court will default to transparency, discussing incentive offers and negotiations in open session whenever possible. Secrecy should be the rare exception, not the standard operating procedure.
- **Fulfill Public Information Act Obligations Promptly:** We demand the County proceed expeditiously with fully compliant, unredacted answers to LIV's Public Information Requests regarding the EdgeConneX agreements. Under Texas law, once an agreement is signed, the

"economic development" shield largely vanishes. The current delay in disclosing non-public details is unacceptable and violates the spirit of the Act.

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LIV is an organization that seeks to educate and organize the estimated 8 million independent voters in Texas, as an important segment of the estimated 80 million voters nationally who identify as "independents" and who seek an alternative to the "politics as usual" of the two-party system. We include in those "two-party issues" the propensity of public entities, Bastrop County included, to believe "corporate welfare" is an essential component of economic development at the state and local government level, whatever it might cost residents.

As part of our education outreach, we have undertaken to fill in the blanks, for as many Bastrop County taxpayers and voters as we can reach, on the Commissioners Court's apparent appetite for corporate welfare. **Attached is our handout which we have made available to the public**, which lays out our concerns with the SpaceX matter. Our problem with the Enterprise Zone Program "route" to doing Elon Musk's bidding for SpaceX, is the fact the County has to show how willing it is to offer similar power over the County to other businesses. Why not avoid the EZP altogether?

**LIV has discovered a number of realities in addressing the SpaceX project as well as in pursuing LIV's Public Information Request to the County concerning the EdgeConnex tax abatement process.** We have discovered that **not only Bastrop County independents we work with, but also many supporters of either major party are simply opposed to most if not all forms of corporate welfare.** The all-Republican Bastrop Commissioners Court has chosen a path that flies in the face of Plank 78 of the Texas Republican party's 2024 Texas GOP Platform, which could not be more clear:

***No Corporate Welfare:*** *We encourage government to divest its ownership of all businesses that should be run in the private sector. We oppose all bailouts of and subsidies to domestic and foreign government entities, states, and for all businesses, public and private. We agree with the Texas Constitution's requirement for fair and uniform taxation and oppose special treatment or tax breaks for favored industries or companies. We call for repeal or sunset of existing subsidy or special-interest tax exemptions, including the Special Events Trust Fund program, the Texas Enterprise Fund, Moving Image Industry Incentive Program, and lab-grown meat incentives, and now request repeal of Chapter 403.601 of the Texas Tax Code. [...]* (Plank 78, 2024 Texas GOP Platform, emphasis added)

We could not explain what this Plank should mean to this Court any better than one of your own constituents, Ms. Carol A. Spencer, a self-described "Republican Activist in the Great State of Texas" wrote in her blog at <https://republicancarol.org/enterprise-zone-tax-breaks-no/>. Besides saddling them with the costs of growth, governments too easily slide into a lack of accountability and transparency with the voters who elected them when they put incentives first. Bastrop County is not an exception to this concern.

It is difficult to believe there is a desire on the Court for public accountability and transparency when high-density industrialization becomes elevated as the "be all and end all" of economic development, at the expense of the County's residents and taxpayers, especially those who bought into a rural-suburban lifestyle in many new subdivisions.

With respect to specific accountability and transparency issues with the SpaceX project, the hearing is being held pursuant to a cryptic public notice and with very little back-up information on the subject

matter of the hearing. Bastrop residents were left to fend for themselves to figure out what they might hear from the Court just a few minutes before their County Judge and Commissioners would vote on an ordinance affecting every one of them.

This is the transparency and accountability void LIV attempted to fill with its handout, because proposed Order 2026-09 probably raises more questions than it answers about the depth and breadth of the Court's involvement in the "Triple Jumbo" project and with the Texas Enterprise Zone Program (EZP)(Ch. 2303, Tx Gov't Code). **Our analysis shows the County is knowingly writing a blank check on behalf of its constituents.**

The Order, proposed for adoption on May 26, nominates the SpaceX project in Bastrop County for a state subsidy from the Enterprise Zone Program, even though the project will be in Bastrop County but **outside any enterprise zone**, per the Order. The Order does not identify any existing enterprise zone in the County.

By means of the Order, the Court proposes to nominate SpaceX's solar cell factory as a "qualified business" to receive economic development incentives offered by the EZP, **but the Order is so much more than a mere nomination.** Our handout make the case that there is no compelling reason for Bastrop County to provide State-sponsored corporate welfare to SpaceX reportedly a multi-trillion-dollar company that already has considerable investment in Bastrop County and it is not likely to make good on any threats to go elsewhere.

But the issues with the SpaceX project and the EZP don't stop there. The hearing notice told the public the hearing would also be about **"possible tax incentives to be offered to projects including the Bastrop Kit Production Expansion Triple Jumbo Project, within the County of Bastrop" (emphasis added).** The Enterprise Zone Program requires the local nominating body (the County) to have ongoing "skin in the game" of economic development in Texas. **To participate in the EZP, the County must demonstrate not only a commitment to offer incentives to SpaceX, but also to other economic developments generally.**

**The proposed Order should be permanently tabled.** The phrase in the public notice—"projects including" the SpaceX project—is the "smoking gun." **Participation in the EZP, including adopting the Order, signals to not only SpaceX but to a wide array of "groups and businesses" that Bastrop County is open for a corporate giveaway of not only public money, but also its natural resources. It also signals the County's residents they will be saddled with whatever costs of growth those businesses don't share.** Arguably, nothing stops any business from asking for economic incentives, but participation in the EZP will predispose other businesses to expect a deal will happen, even a deal as good as SpaceX gets. Of course, the County reserves "discretion" to determine the final list of incentives but it still understands the EZP game and will be reluctant to take anything off the table.

Respectfully,

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