

**NOTICE OF SPECIAL ELECTION
FOR CHARTER AMENDMENT**

To the registered voters of the City of Lockhart, Texas:

Notice is hereby given that, on November 5, 2024, the City of Lockhart will hold a special election on a proposed amendment to the Charter of the City of Lockhart.

The polling places listed below will be open from 7:00 a.m. to 7:00 p.m., November 5, 2024, for the purpose of voting on a proposed amendment to the Charter of the City of Lockhart. On Election Day, voters must vote in the precinct where registered to vote.

County Voting Precinct	Location
100/101	First Lockhart Baptist Connection Center, 200 S. Blanco St., Lockhart, TX 78644
103/108	Grace Lutheran Fellowship Hall, 108 N. Medina, Lockhart, TX 78644
102/104	VFW Post 8927, 7007 S. US HWY 183, Lockhart, TX 78644
111	Lockhart Evenings Lions Club, 220 Bufkin Lane, Lockhart, TX 78644
201/202	Luling Southside Clubhouse, 1035 S. Magnolia Aven, Luling, TX 78648
203	McNeil Baptist Church Fellowship Hall, 14304 FM 1322, Luling, TX 78648
204/205	McMahan Community Center, 6022 FM 713, Dale, TX 78616
206	Luling Civic Center, 333 E. Austin St., Luling, TX 78648
300/301	Three Rivers Community Church – Fellowship Hall, 103 Main St., Martindale, TX 78655
302	Maxwell Social Club, Maxwell, 180 Forth Street, TX 78656
303/306	Uhland City Hall – Community Hall, 15 N. Old Spanish Trail Uhland, TX 78640
305	Fentress Community Church, 13481 State Park Rd., Fentress, TX 78622
401	St. Marks Methodist Church Fellowship Hall, 602 E. Live Oak St., Lockhart, TX 78644
402	St. Mary’s Catholic Parish Hall, 205 W. Pecan St., Lockhart, TX 78644
404	Lyton Springs Baptist Church, 8511 FM 1854, Dale, TX 78616
400/405	Dale Fire Station, 1414 FM 1854, Dale, TX 78616

Early voting by personal appearance will be conducted each weekday at the Scott Annex Building, 1403 Blackjack St., Suite A, Lockhart, Texas 78644 pursuant to the schedule below.

Monday, October 21	8:00am – 5:00pm
Tuesday, October 22	8:00am – 5:00pm
Wednesday, October 23	8:00am – 5:00pm
Thursday, October 24	8:00am – 5:00pm
Friday, October 25	8:00am – 5:00pm
Saturday, October 26	7:00am – 7:00pm
Sunday, October 27	9:00am – 3:00pm
Monday, October 28	7:00am – 7:00pm
Tuesday, October 29	7:00am – 7:00pm

Wednesday, October 30	7:00am – 7:00pm
Thursday, October 31	7:00am – 7:00pm
Friday, November 1	7:00am – 7:00pm

Applications for Ballot by Mail shall be mailed to the Early Voting Clerk address or email address below. Applications for Ballot by Mail must be received no later than the close of business on Friday, October 25, 2024.

Name of Early Voting Clerk: Devante Coe, Caldwell County Elections Administrator

Early Voting Clerk Address: 1403 Blackjack Street, Suite A
Lockhart, TX 78644

Phone Number: 512-668-4347

Email Address: devante.coe@co.caldwell.tx.us

Website: www.co.caldwell.tx.us

Federal Post Card Applications (FPCAs) must be received no later than the close of business on Friday, October 25, 2024.

The proposed charter amendment is as follows and the estimated fiscal impact of such amendment is discussed after the amendment:

Article XII, Section 12.01, Title: “This article shall be known as the Lockhart Freedom Act.”

Article XII, Section 12.02, Purpose: “Pursuant to the home rule authority of the Texas Constitution, to promote the health, safety, and general welfare of the people of Lockhart, Texas, the voters of Lockhart hereby enact the Lockhart Freedom Act a policy to reform marijuana enforcement by city personnel, with the specific objectives of carefully allocating scarce city resources, reducing the risk of discriminatory enforcement practices, and focusing city resources on the highest priority public safety concerns.”

Article XII, Section 12.03, Enforcement of misdemeanor marijuana offenses: “Unless and until a binding act of a state or federal court requires otherwise, the Lockhart Police Department shall not make any arrest or issue any citation for Class A or Class B misdemeanor marijuana possession, except in the limited cases described by this policy.”

Article XII, Section 12.04, Safe Harbor: “In the event of a binding act of a state or federal court, which would prevent the City of Lockhart’s fulfillment of Section 12.03, the City’s policy shall be to make enforcement of Class A and Class B misdemeanor marijuana possession its lowest enforcement priority. In particular, the City shall update its annual budget, police department manual, and relevant policies and procedures to ensure that public safety resources are not wasted

on misdemeanor marijuana enforcement and are instead targeted at other programs that best promote the health, safety, and general welfare of the people of Lockhart.”

Article XII, Section 12.05, Exceptions to enforcement policy: “This policy shall not limit enforcement of misdemeanor marijuana possession offenses if an offense is (a) revealed as part of a felony narcotics investigation that has been designated as “high priority” by a commander, assistant chief of police, or chief of police; (b) and/or revealed as part of the investigation of a violent felony. Lockhart police officers shall not issue any charge for misdemeanor possession of marijuana unless it meets one or more of these exceptions.”

Article XII, Section 12.06, Handling of evidence: “In any instance governed by this policy, if a Lockhart police officer has probable cause to believe that a substance is marijuana, the officer may seize the substance. If the officer seizes the substance, they must write a report explaining the grounds for seizure and release any detained person if possession of marijuana is the sole charge.”

Article XII, Section 12.07, No citations for paraphernalia or residue in lieu of possession charge: “A Class C misdemeanor citation for possession of drug residue or drug paraphernalia shall not be issued in lieu of a possession of marijuana charge.”

Article XII, Section 12.08, Ban on using City resources for THC concentration testing: “No city funds or personnel shall be used to request, conduct, or obtain tetrahydrocannabinol (THC) testing of any cannabis-related substance to determine whether the substance meets the legal definition of marijuana under state or federal law, except (a) for purposes of toxicology testing to ensure public safety or (b) the investigation of a violent felony offense.”

Article XII, Section 12.09, Ban on using odor of marijuana or hemp as probable cause for search or seizure: “Lockhart police shall not consider the odor of marijuana or hemp to constitute probable cause for any search or seizure, except in the limited circumstances of a police investigation pursuant to Section 12.05.”

Article XII, Section 12.10, Training and policy updates: “The City Manager and Chief of Police shall ensure that (a) City policies and internal operating procedures are updated in accord with this policy and (b) Lockhart police officers receive adequate training concerning each of the provisions of this policy.”

Article XII, Section 12.11, Officer discipline: “Any violation of this policy may subject a Lockhart police officer to discipline as provided by the Texas Local Government Code or as provided by City policy.”

Article XII, Section 12.12, Quarterly reports: “The City Manager, in consultation with the Chief of Police and other relevant City personnel, shall prepare quarterly reports concerning the implementation of this policy, to be presented to the City Council at a public meeting subject to the Texas Open Meetings Act, and with the first report due no later than 120 days following the effective date of this policy. Each report shall include a summary of the City’s implementation of this policy and shall include specific information concerning enforcement of misdemeanor marijuana possession offenses, including total arrests made, total citations issued, estimated

personnel hours used in conducting enforcement activities, and demographic information for each person charged with an offense, including age, gender, race, and ethnicity.”

Article XII, Section 12.13, Severability: “In any event that any court finds any section of the Lockhart Freedom Act to be unlawful or unenforceable, that section shall be severed from this policy and the rest shall continue in force.”

Estimated Fiscal Impact: None.

Issued on September 25, 2024