

CAUSE NO. D-1-GN-23-003474

THE CITY OF HOUSTON, <i>Plaintiff</i> , and	§	IN THE DISTRICT COURT OF
	§	
	§	
THE CITY OF SAN ANTONIO AND THE CITY OF EL PASO, <i>Intervenors</i>	§	
	§	
	§	TRAVIS COUNTY, TEXAS
	§	
v.	§	
	§	
THE STATE OF TEXAS, <i>Defendant</i>	§	
	§	345th JUDICIAL DISTRICT

FINAL JUDGMENT

On August 30, 2023, the Court held a hearing on: (1) the City of Houston’s Traditional Motion for Summary Judgment (“Houston’s MSJ”); and (2) Defendant’s Motion to Dismiss Based on Lack of Subject Matter Jurisdiction (“State’s Motion”). The Court heard argument from counsel for Plaintiff the City of Houston, Intervenors the City of San Antonio and the City of El Paso, and Defendant the State of Texas. The Court considered the pleadings on file, the motions, responses, and replies. The Court ORDERS as follows:

The Court finds that it has jurisdiction over the claims and the parties. The State’s Motion is therefore DENIED.

IT IS FURTHER ORDERED that Houston’s MSJ is GRANTED.

The Court DECLARES that House Bill 2127 in its entirety is unconstitutional, void, and unenforceable-, facially and as applied to Houston as a home rule city and to laws that are not already preempted under Article XI, Section 5 of the Texas Constitution.

IT IS FURTHER ORDERED that the Court's declaration regarding House Bill 2127 grants the relief that Intervenors sought through their petition. This Final Judgment therefore resolves the claims of Intervenors.

IT IS FURTHER ORDERED that the Court grants Intervenors' non-suit of their claim for attorney's fees pursuant to Chapter 37 of the Texas Civil Practice and Remedies Code.

IT IS FURTHER ORDERED that any claim by Barney Donalson, to the extent that he appeared as a party to this action, is DISMISSED.

This Final Judgment resolves all parties and all claims in this action. It is final and appealable.

IT IS SO ORDERED.

Signed \_\_\_\_\_, 2023.

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Hon. Maya Guerra Gamble