

Resolution Censuring Speaker Dade Phelan by the Orange County Republican Party Executive Committee

WHEREAS, On February 8, 2023, Speaker Phelan appointed nine Democratic chairs to House committees in violation of RPT Legislative Priority #5 – No Democratic Chairs. The Democrats assigned to committee chairs included: Oscar Longoria – Business & Industry, Abel Herrero – Corrections, Victoria Neave Criado – County Affairs, Joseph Moody – Criminal Jurisprudence, Harold V. Dutton – Juvenile Justice & Family Issues, Tracy King – Natural Resources, R. D. “Bobby” Guerra – Resolutions Calendars, Terry Canales – Transportation, and Senfronia Thompson – Select Committee on Youth Health and Safety; and

WHEREAS, On May 9, 2023, Speaker Phelan allowed H.B. 20 to die by sustaining a spurious point of order, in violation of RPT Legislative Priority #2 – Secure the Border and Protect Texans. H.B. 20 would have created a Border Protection Unit under the control of the State of Texas to “arrest, apprehend, or detain persons crossing the Texas-Mexico border unlawfully,” and invoked Article I, Section 10 of the United States Constitution to authorize this unit to return aliens to Mexico who have been observed crossing the border unlawfully and to use force to repel, arrest, and detain known transnational cartel operatives in the border region, among other duties. H.B. 20 was identified as a priority by the Speaker himself, but at his sole discretion, he accepted a point of order raised by a Democratic Representative on a matter of opinion regarding the caption of the bill, which prevented the bill from ever being voted on in the House; and

WHEREAS, Throughout the session, Speaker Phelan refused to comment in support of RPT Legislative Priority #8 – Parental Rights and Educational Freedom, despite the passionate advocacy by Governor Abbott and Lieutenant Governor Dan Patrick on behalf of this issue. While Speaker Phelan’s appointments to the Public Education Committee initially offered hope that the issue would be given a fair hearing in the House, no educational freedom bill ever passed from committee. When H.B. 100, the school finance reform bill that would have enacted school allotment increases for public schools across Texas, went to conference committee with the Senate, Speaker Phelan appointed conferees who were known to oppose educational freedom. These conferees allowed H.B. 100 to die, preventing any increase in allotted funds to public schools and teacher pay, rather than accept a Senate proposal that would have enacted an Education Savings Account program; and

WHEREAS, During the 88th legislative session, Speaker Phelan has repeatedly violated Texas GOP Core Principle #6: “Self-sufficient families, founded on the traditional marriage of a natural man and a natural woman,” by promoting advocacy organizations who have opposed traditional marriage and advocated against Republican Party of Texas Legislative Priority #3 – Ban Gender Modification of Children and Priority #4 – Stop Sexualizing Texas Kids:

On March 8, 2023, Speaker Phelan allowed passage of H.R. 155, which recognized February 14, 2023, as Texas LGBTQ Chambers of Commerce Advocacy Day at the State Capitol. The organizations honored in H.R. 155 have sponsored a “digital advocacy toolkit” to aid unruly protestors in opposing numerous important Republican bills and have made statements attacking Republicans and even Democratic Representatives who stood courageously against sexualization and gender transition of children.

On February 22, 2023, Speaker Phelan allowed passage of H.R. 294 recognizing February 22, 2023, as Texas Latinx Judges Day at the State Capitol at the State Capitol; according to the text of the resolution, the word "Latinx" was specifically used to include jurists who are "nonbinary" despite the overwhelming rejection of this term by Spanish-speaking Texans.

On February 28, 2023, Speaker Phelan allowed H.R. 85, honoring the plaintiffs who sued in Federal Court to overturn the State of Texas Constitutional prohibition on same-sex marriage, to be referred to the Resolutions Calendars committee. This resolution was buried within a large packet of resolutions in a deliberate attempt to conceal the nature of this resolution. H.R. 85 was withdrawn only after a letter was sent from the Republican Party of Texas to the House Republican Caucus objecting to this action; and

WHEREAS, the term of office for Speaker Dade Phelan expires after the 2024 Primary and General Elections, and he would be eligible to run for re-election to his House seat in the 2024 elections and eligible to run for any other partisan office in the 2024 elections;

THEREFORE, BE IT RESOLVED that the Orange County Republican Party Executive Committee, after notice and invitation to Speaker Dade Phelan to appear and be provided time to speak before the Orange County Executive Committee, adopts this resolution under Republican Party of Texas Rule 44 to censure Speaker Dade Phelan for three (3) or more actions taken during the current biennium in opposition to the core principles of the Republican Party of Texas (RPT) as defined in the Preamble of the Party Platform, as described in Rule No. 43A, or to the Legislative Priorities adopted at the most recent State Convention as described in Rule 34(c); and

BE IT FURTHER RESOLVED that the Orange County Republican Party Executive Committee requests that the Republican Party of Texas concur with this resolution of censure and impose both penalties identified in Rule 44 on Speaker Dade Phelan as follows:

1. No Rule or Bylaw enacted by any division of the Party at any level that demands the Party be neutral in intraparty contests shall be observed with respect to Speaker Phelan, and no financial or other support shall be provided to his campaign by the Party except that which is required by law. If Speaker Phelan files an application to run for any public office in the 2024 Republican Party Primary, the SREC shall be authorized to spend up to twelve percent (12%) of the Party's general fund on voter education in the state of Texas, by republishing this censure resolution verbatim, using a media format determined by the SREC.
2. Speaker Dade Phelan is discouraged from participating in the 2024 Republican Party Primary; and

BE IT FURTHER RESOLVED that nothing in this Resolution shall be construed to prohibit the use of Party resources to encourage voting for Republican Party nominees or officeholders collectively, so long as Speaker Dade Phelan is not identified by name.

Alan Mescohe
Barbara Nixon
Rachel Stein
Judy Pellein
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