



Date: August 19, 2026

To: Chairman Ken King and the Members of the House Committee on State Affairs

CC: Rep. Ana Hernandez, Rep. Rafael Anchía, Rep. Drew Darby, Rep. Yvonne Davis, Rep. Charlie Geren, Rep. Ryan Guillen, Rep. Lacey Hull, Rep. John W. McQueeney, Rep. Will Metcalf, Rep. Dade Phelan, Rep. Richard Peña Raymond, Rep. John T. Smithee, Rep. Senfronia Thompson, Rep. Chris Turner

Via hand delivery and by email.

From: Adrian Shelley, Public Citizen, ashelley@citizen.org, 512-477-1155

Re: Data Centers – invited testimony by Public Citizen

Dear Chairman King and Members of the Committee:

Public Citizen appreciates the invitation to provide testimony to this committee on the subject of data centers. Our mission is to be the voice of the people in the halls of power. We have one million members and supporters across the United States and 30,000 in Texas.

Summary of our testimony:

We support the following changes to the current approach:

1. An immediate moratorium on new data centers and a special session to address issues of public concern.
2. Steps to ensure that data centers and collocated power plants get the right air permits and do so through robust public participation.
3. Eliminate policies that incentivize building gas plants to power data centers and minimize the use of backup generators.
4. End the state sales and use tax exemption for qualifying data centers.
5. End or limit data centers' use of local tax breaks such as JETI and local development agreements.
6. Grant counties more authority to regulate data centers so that they don't have to use local development agreements or other financial incentives as leverage.

I. There is no “moratorium” on data centers in Texas, and action is still needed to protect communities.

Governor Abbott has released many statements in recent weeks in response to the overwhelming public opposition to data centers in Texas. Although we appreciate that the Governor's statements are a response to public sentiment, we disagree that anything he has said or done amounts to real change.

ERCOT's pause of "Batch Zero" will slow down some projects. But it doesn't apply outside of ERCOT or to facilities that are smaller than 75 MW. It also doesn't address collocated gas-fired power plants, particularly those that will be behind the meter. Perversely, the Batch Zero pause could incentivize the construction of behind-the-meter plants.

Only Governor Abbott can call a special session to begin addressing the problems caused by data centers in communities across Texas. And a true moratorium would immediately suspend each of the following:

- All construction of data centers across Texas.
- Land acquisition and zoning changes.
- Environmental permitting for data centers and collocated power plants.
- The state sales and use tax exemption and local tax breaks and incentives including Chapter 312, Chapters 380 and 381, and JETI (for collocated power plants).
- All interconnections of facilities in ERCOT and the other grids that serve Texas.

II. The legislature must ensure that data center companies are not skirting Clean Air Act major source permitting requirements.

Public Citizen's research on data center air permits raises serious concerns that they are not getting the correct air permits. Some facilities are likely getting minor source air permits for facilities that are or will become major sources of air pollution. This is a concern because minor source permits include fewer pollution controls, fewer monitoring and compliance measures, and no requirement to offset pollution in nonattainment areas.

Minor source permits also limit opportunities for public participation. Major source permits offer an opportunity for a public meeting and a contested case hearing. Many elected officials across Texas are concerned that data centers are locating in their communities without sufficient public input. This is one reason why. This problem will be worsened by a current EPA rule proposal to further limit public notice and comment opportunities in minor source permitting.¹

There are at least two ways that data centers are under-permitting themselves. First, they are taking a phased approach in which they permit only part of their facility under a minor source permit. This is a problem because a minor source permit allows construction with no public notice.

Take a recent example: the Vantage data center proposed at 14720 Omicron Dr. in San Antonio had a public hearing scheduled for last Monday, August 17.² Last week, the Texas Commission on Environmental Quality (TCEQ) postponed that public hearing and another for Fermi Equipment Holdco in the Panhandle, which was scheduled for August 24.³ The TCEQ stated that these public meetings were postponed "due to high public interest." But if public interest is high, shouldn't the

¹ See <https://www.epa.gov/newsreleases/epa-proposes-streamline-state-and-local-permitting-process-minor-sources>.

² See <https://www.tceq.texas.gov/agency/decisions/hearings/notice-and-comment-hearing-vantage-data-centers-tx11-llc-04791>.

³ See https://www14.tceq.texas.gov/epic/eCID/index.cfm?fuseaction=main.detail&item_id=283343022026091&detail=action&StartRow=1&EndRow=1&Step=5.

agency opt for *more* public meetings, not fewer? We understand that the process is delayed while the public meetings are on hold, but it is burdensome for community members to accommodate cancellations and moving opportunities.

The governor announced last week that Vantage, among others, would comply with his new standards for data centers.⁴ But there are two significant reasons why Vantage is still falling short of the Governor’s directives. First, the company—which is building two data centers in San Antonio—already got minor source air permits for a portion of their backup generators. Minor source permits do not come with public notice or public participation opportunities. Vantage permitted a portion of its planned backup generators on minor source permits, then applied for more permits later, once the facility was already being built. The first opportunity for public engagement (May 28 for the other Vantage facility at 5207 Rogers Road) came *after the* facility was built and operating. That’s not an authentic public process.

Second, Vantage seems to have contrived its air pollution emission calculations to stay under major source thresholds.⁵ The company chose an arbitrary number for its hours of operating its backup generators that is well below the EPA’s guidance on backup generators. When it doubled the size of its generator fleet, it halved that arbitrary number in a move that seemed calculated to stay under the threshold. It offered no justification for this.

Third, Vantage is treating its collocated gas plant as a completely separate facility. Nowhere in its discussion of the data center permits does Vantage mention the collocated gas plants owned by VoltaGrid. Vantage has asked the TCEQ to treat its on-site power plants as completely different sources of air pollution. The TCEQ has done so. This seems to be intended to frustrate public participation. At the May 28 public meeting on Vantage at 5207 Rogers Rd—a facility that was already built and operating on minor source permits before any public notice occurred—comments about the collocated power plant were “outside the scope” of the public meeting.

We believe, based on criteria in state law,⁶ that data centers and collocated power plants should be considered as a single source for air permitting purposes. If this is not already clear in state law, the legislature should make it so.

III. Texas cannot meet air pollution and climate goals while building gas plants and diesel generators to power data centers.

Winding down the burning of fossil fuels is essential to meeting public health and climate goals in Texas. An estimated 17,000 Texans die every year just from particulate matter pollution from

⁴ See <https://gov.texas.gov/news/post/governor-abbott-announces-core-scientific-vantage-data-centers-and-sb-energy-commit-to-comply-with-his-data-center-standards>.

⁵ For a technical explanation of this and other issues with the Vantage permits, please download our comments at this link: https://www14.tceq.texas.gov/epic/eCID/index.cfm?fuseaction=main.download&doc_id=265674172026034&doc_name=20260203%20%2D%20Vantage%20TX%2021%20TV%20Comments%20%28final%29%2Epdf.

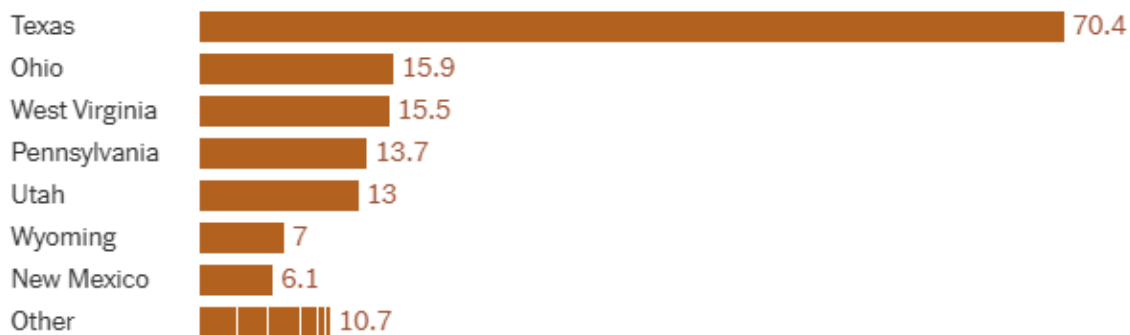
⁶ The criteria for consideration when aggregating sources are common control, similar industrial classification, and operation dependence. See *Health & Safety Code Sec. 382.051964*.

burning fossil fuels.⁷ Texas also has many regions in nonattainment for various National Ambient Air Quality Standards, including ozone, with local economic consequences reaching billions of dollars.⁸ Half of the children in Texas breath unsafe air.⁹

Texas is ground zero for new and expanded gas plant proposals to fuel data centers. The largest air pollution permit in history was recently approved by the TCEQ for a 7.65 GW gas plant.¹⁰ Another permit for 5 GW of gas was approved for Fermi America in the Panhandle, with TCEQ denying all contested case hearing requests, even though 300 people submitted comments.¹¹

According to a recent report by the Environmental Integrity Project (EIP), there are at least 39 gas plants proposed in Texas to power data centers.¹² The vast majority of new gas plant proposals across the United States are in Texas, as this graph from a New York Times story on the EIP report shows:¹³

Total capacity by state, in gigawatts



Note: Bar chart includes expansions to existing plants. "Other" states are Nebraska, North Carolina, Indiana, Mississippi, Oklahoma, Virginia, Nevada and South Carolina. Source: Environmental Integrity Project. Mira Rojanasakul/The New York Times

The amount of pollution that will be emitted by the 39 gas plants EIP is tracking is frightening. If built, all of these plants would emit:

- 14,991 tons of fine particulate matter, which causes heart attacks, strokes, and death.

⁷ Vohra K, Vodonos A, Schwartz J, Marais EA, Sulprizio MP, Mickley LJ. "Global mortality from outdoor fine particle pollution generated by fossil fuel combustion: Results from GEOS-Chem." Environ Res. 2021 Apr;195:110754. <https://doi.org/10.1016/j.envres.2021.110754>. Epub 2021 Feb 9. PMID: 33577774, available at <https://pubmed.ncbi.nlm.nih.gov/33577774/>.

⁸ See https://www3.epa.gov/airquality/greenbook/anayo_tx.html.

⁹ See <https://www.lung.org/media/press-releases/fy26-sota-texas>.

¹⁰ See <https://www.texasobserver.org/developer-gw-ranch-pecos-county-largest-power-project-us/>.

¹¹ See <https://abc7amarillo.com/news/local/tceq-approves-air-permits-for-fermi-americas-proposed-data-center-power-plant-texas-commission-on-environmental-quality-panhandle-first-coalition-kendra-seawright-catarina-gonzalez>.

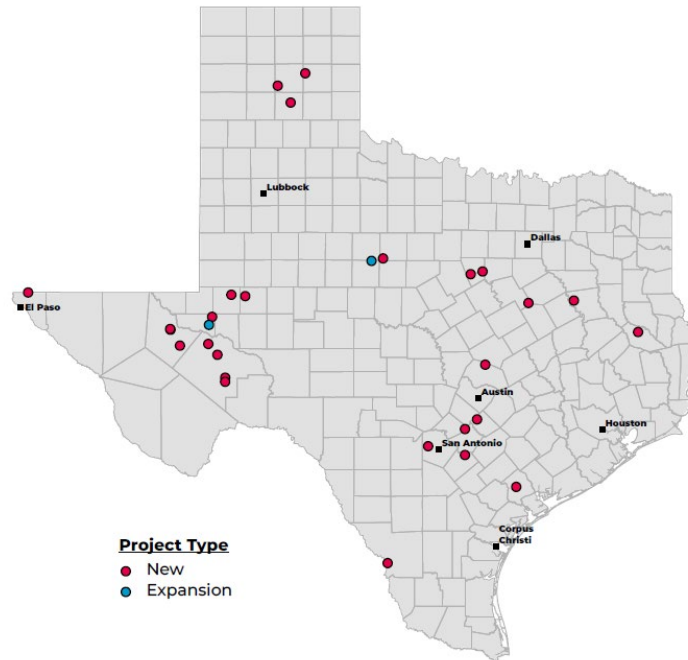
¹² "The Power Behind AI" Environmental Integrity Project (1 July 2026) available at <https://environmentalintegrity.org/news/74-gas-power-plants-proposed-for-u-s-data-centers-could-release-as-much-climate-pollution-as-australia/>. Note that while the July 1 report includes 31 facilities, EIP has identified at least another 8 planned facilities since that time.

¹³ See <https://www.nytimes.com/2026/08/05/climate/data-centers-pollution-trump-ai-energy.html>.

- 21,932 tons of nitrogen oxide, which causes lung damage and will prevent Texas from meeting ozone pollution standards.
- 308 million tons of greenhouse gases, which will worsen global climate change and the extreme weather events Texas faces because of it.¹⁴

As this map from the EIP report shows, these plants are spread across Texas:¹⁵

Map 2: Proposed Gas Plants Dedicated to Data Centers in Texas



Note: Location information was unavailable for three proposed power plants in Texas and are not displayed on the map above. Some power plants are closely located and may not be visible. See Appendix C for the full list of known projects.

Texas lawmakers should seriously consider whether this is the future they want for Texas. The ERCOT grid has shown that a mix of energy generation sources is the best option for clean, inexpensive, reliable power. Data center developers are not motivated by anything other than an immediate need for continuous power. If Texas relies on the “bring your own power” approach to addressing the strain on our grid from data centers, then virtually all of them will build their own gas plants. These plants will have devastating consequences for public health and the climate.

Texas leaders should not sacrifice public health for the needs of a single industry. If data centers cannot be powered by the increasingly clean mix of energy found on the Texas grid, they shouldn’t be allowed to invest in fossil fuels at the expense of our air and our health.

¹⁴ Note that Texas is the most vulnerable state for climate change, with more than 40% of all billion dollar extreme weather disasters since 1980 impacting Texas. This information is kept by the National Oceanographic and Atmospheric Administration (NOAA) on a website that is not currently available to the public: <https://www.ncei.noaa.gov/access/billions/>.

¹⁵ “The Power Behind AI” at pdf p. 11

We encourage lawmakers not to pass laws that encourage or incentivize building gas plants to power data centers. We also caution that the large number of backup diesel generators being installed at data centers across Texas should not be viewed as a grid resource. Diesel generators are a dirty, inefficient way to produce power and they should only be used in emergencies. We encourage the legislature to pass a law that prohibits the use of diesel generators at data centers for anything other than actual loss of power.

IV. The legislature should eliminate the state sales and use tax exemption for data centers.

The state sales and use tax exemption cost Texas taxpayers \$1.1 billion in 2025.¹⁶ It is estimated to cost \$3.2 billion during the 2026-2027 biennium. By 20230, it is expected to cost \$1.7533 billion *every year*, although that number is probably low because it is based on a January 2025 report from the Comptroller that likely does not account for the explosive growth of proposed data centers since then.

It's not true that the United States is in a data center or artificial intelligence "war" with China.¹⁷ The U.S. has around 5,000 data centers. China has about 500. Furthermore, AI investment from U.S. tech companies has outspent China for years, with the U.S. spend 4 or 5 five times more in recent years.¹⁸

The sales and use tax exemption was passed in 2013 (HB 1223 (83R)) at a time when lawmakers felt we needed to attract data centers to Texas.

This worked. It worked so well that we now have more data centers trying to locate in Texas than we can possibly accommodate. In fact, the Dallas-Fort Worth area is considered to be the largest market for data centers in the world.¹⁹

Texas is already home to at least 334 data centers, with at least another 248 planned.²⁰ More than 160 data centers take advantage of the state sales and use tax exemption.²¹ The exemption is applied to certain equipment purchased to build and operate a data center, as well as the energy used in the data center. Long term, for an individual facility, the energy tax break may prove to cost more, as data centers have a continuous demand for lots of energy.

¹⁶ See Glenn Hegar, Texas Comptroller of Public Accounts, "Tax Exemptions and Tax Incidence: A Report to the Governor and the 89th Legislature" (January 2025) available at <https://comptroller.texas.gov/transparency/reports/tax-exemptions-and-incidence/>.

¹⁷ See <https://www.brookings.edu/articles/are-the-us-and-china-really-in-an-ai-race/>.

¹⁸ See <https://www.bcg.com/publications/2026/us-and-china-ai-strategy-causing-global-ai-divide>.

¹⁹ See <https://www.cushmanwakefield.com/en/news/2026/05/dallas-texas-ranked-number-one-primary-data-market-in-the-world>

²⁰ See <https://www.texastribune.org/2026/06/08/texas-regulation-data-centers-electricity-power-water/>. See also <https://www.houstonchronicle.com/projects/2026/tx-data-centers-map/>.

²¹ The complete list is available at <https://comptroller.texas.gov/taxes/data-centers/data-center-lists.php>.

Data center water and energy demand is unrealistic and unsustainable.

All of these energy-hungry projects have led to growth projections for demand on the ERCOT grid that are completely unrealistic and unsustainable. The current large load projection in ERCOT is 438,595 megawatts, around 90% of which are data centers. This is *4.8 times* ERCOT's demand record (set last Wednesday) of 91,308 MW. Even the recently approved "Batch Zero" is reckoning with some 100 GW of projects.

The water demand from data centers is also unsustainable. Water demand from data centers in 2025 exceeded 25 billion gallons.²² Although it is true that many new data centers are planning to use closed loop cooling that will reduce water use, many do not. And new closed loop system require more energy, which is also water hungry if it comes from fossil fuels. A data center powered by a gas plant is using perhaps two-thirds of its water for energy production.

The United States is currently experiencing a bubble in the Artificial Intelligence (AI) and data center industries. No one believes that 400+ gigawatts of data centers will be built in Texas. But the question of how to "separate the wheat from the chaff" is currently taxing the resources of ERCOT, the PUC, and local governments across Texas. Eventually, when the bubble pops, Texans will foot the bill for abandoned projects and facilities.

Industry leaders are not optimistic about the future. According to a recent survey of data center company executives, two out of three shared a negative outlook on the industry's future.²³

Data centers are not significant employers.

The exemption is found at Tax Code Sec. 151.359 and 151.3595. The size requirements for qualifying data centers and qualifying large data centers demonstrate that data centers are not big employers. The requirements are, for a "qualifying data center":

- single-occupant facility,
- at least 100,000 square feet,
- 20 qualifying jobs, and
- \$200 million in investment over a five-year period.

For a "qualifying *large* data center":

- single-occupant facility,
- at least 250,000 square feet,
- with at least 20 megawatts of transmission capacity,
- 40 qualifying jobs, and
- \$500 million in investment over a five-year period.

²² See Margaret Cook "Thirsty Data: The Hidden Water and Energy Costs of Texas' Data Center Boom" (January 2026) available at <https://harcresearch.org/news/thirsty-data-the-hidden-water-and-energy-costs-of-texas-data-center-boom/>.

²³ See <https://news.bloomberglaw.com/bankruptcy-law/data-center-troubles-stoke-industrys-fear-of-coming-distress>.

Forty jobs for a “large” data center with half a billion dollars of investment is not that significant.

V. The legislature should also eliminate or limit data centers’ use of local tax abatements and financial incentives.

Public Citizen opposes tax cuts for wealthy corporations. Many big tech companies pushing data centers on Texas communities are among the largest companies in history. In addition to ending the state sales and use tax exemption, we also suggest ending local tax breaks and financial incentives.

Right now, local governments rely on local development agreements to gain leverage over projects in their jurisdiction. We recommend the legislature give counties additional authority to regulate data center developments so that they won’t be forced into Chapter 381 agreements. Counties should have authority to regulate such local issues as:

- Distance between data centers and certain land uses including homes, schools, places of worship, licensed day-care centers, hospitals, or medical facilities.
- Restrictions on the use of potable water, storm water, and wastewater.
- Limiting the use of polluting diesel engines for backup power.
- Noise level at the fenceline, including sounds with a frequency below 20Hz (infrasound).
- Requirement to post a bond or other financial assurance sufficient to decommission the facility, return the land to its original state, and/or repair road damage.

We have identified thirty-one counties that have passed resolutions asking for more authority from the legislature: Anderson, Andrews, Angelina, Austin, Bell, Bosque, Brazoria, Caldwell, Cameron, Clay, Cooke, Delta, Ellis, Fannin, Fayette, Grayson, Hays, Henderson, Hill, Hood, Hudspeth, Hunt, Johnson, Karnes, Lampasas, Lubbock, Morris, Parker, Polk, Somervell, Tom Green, Wise. Appendix A attached to these comments is a list with more information and links to these resolutions.

Chapters 380 and 381: Local Development Agreements

Local development agreements are tax breaks or incentives offered by cities and counties. Counties do not generally have authority to regulate development. A Chapter 381 agreement is a county’s only option to gain leverage over a proposed project.

Public Citizen has spent several months visiting communities impacted by data centers. We have spoken at rallies, town halls, and county commission meetings. Some of the county commissions we have visited include Johnson, Hood, Medina, and Somervell. We have heard the same thing repeated by county leadership: they don’t want to give away their tax base, but otherwise they have no authority. A data center can do anything it wants when locating in the county. A 381 agreement is the only leverage the county leadership has to ask for terms beneficial to the community.

Section VI of this testimony (below) includes a deeper look at Chapter 380 and 381 agreements. A list of thirty-three agreements we found for data centers is attached as appendix B.

The Jobs, Energy, Technology and Innovation Act (JETI)

The Jobs, Energy, Technology and Innovation Act (JETI) was passed by the 88th legislature (HB 5, 88R) to replace the former “Chapter 313” program for property tax abatements from school districts. Chapter 313 applications were no longer processed after December 31, 2022. Some Chapter 313 projects do not even begin until 2043 and can continue for ten years, so some Chapter 313 tax breaks will be in place for another three decades.

JETI was effective on September 1, 2023. As of January 2026, there are 15 active JETI projects. At least two of these projects are likely for data centers:

- J0021 in Brazoria County is for Stone Creek Peaker LLC, a 200 MW natural gas simple cycle power plant that will likely have “a commercial offtake contract that is yet to be put in place.”²⁴
- J0022 in Reeves County is for Energy Forge One LLC, a 2 GW gas power plant proposed to power data centers.²⁵

Chapter 312: The Property Redevelopment and Tax Abatement Act

Tax Code Chapter 312 allows local taxing entities—cities and counties—to offer property tax abatements for up to 10 years. Chapter 312 agreements are available in the Local Development Agreement Database.²⁶ At least two data centers with Chapter 312 abatements are listed in the database:

- Crusoe Energy System, LLC in Wilbarger County
- Compass Datacenters DFW LLC in Allen City

The Texas Enterprise Fund

A few data centers have also received Texas Enterprise Fund (TEF) money. Applications to the TEF are decided upon by unanimous agreement of the Governor, Lieutenant Governor, and Speaker of the House.²⁷ There are at least three data centers that have received Texas Enterprise Funds:²⁸

- A Hewlett-Packard data center in Austin or Houston received a \$3 million award in FY 2006-2007. This project has been completed.
- QTC Management, Inc. in San Antonio has received \$308,750 as of July 2023 on a TEF award of \$558,250.
- Digital Realty Trust, L.P. in Dallas has received \$1,060,000 as of August 2024 on a \$2,000,000 award.

²⁴ See <https://assets.comptroller.texas.gov/open-data/jeti/J0021/J0021-stonecreek-damonisd-app.pdf>.

²⁵ See <https://assets.comptroller.texas.gov/open-data/jeti/J0022/J0022-energyv-pecos-app.pdf>.

²⁶ See <https://comptroller.texas.gov/economy/development/search-tools/sb1340/search.php>.

²⁷ Texas Government Code Sec. 481.078.

²⁸ See https://gov.texas.gov/uploads/files/business/TEF_Award_Listing_Data.pdf.

VI. Public Citizen research on Chapter 380 and 381 agreements shows that counties need more authority to secure beneficial terms for their communities.

Public Citizen staff combed through the Comptroller's database of around 4,100 local development agreements²⁹ and identified 33 for data centers—20 of them for cities and 13 for counties. This research led us to conclude that counties need more authority to negotiate with data center developers to secure terms that meaningfully address concerns raised by community members.

This testimony concludes with a deeper look at 380/381 agreements. A list of all of the agreements we found is attached.

Each local development agreement can cost taxpayers tens of millions of dollars, or more. A typical data center might reach a valuation of \$200 million in five years,³⁰ with a steady increase in value of \$40 million per year. If this data center has a ten-year, 100% tax break in a jurisdiction with a 2% tax rate, then that tax break would cost \$32 million in 10 years.

Do data centers provide more than \$32 million in value to their communities?

Going back to the tax code, a data center of this size might have 20 jobs. The local jurisdiction—and its taxpayers—are paying \$1.6 million for each of those jobs. A typical minimum salary for a qualifying job is \$67,000 (see below). The taxpayers are paying twenty-four times the salary of that job. That doesn't seem like a good deal.

Another conclusion we reached in our research of local development agreements is that they tend not to include terms that would benefit community members. When you talk to people in communities, you hear concerns about water availability first, then energy prices and grid security, then local impacts such as noise, light pollution, and road disruption. But these issues aren't typically addressed in local development agreements. The agreements include terms about employment, infrastructure spending, and payments in lieu of taxes. They don't tend to address problems of concern to neighbors. This reinforces our belief that counties should be given authority to regulate issues that do matter to communities.

This testimony concludes with a few examples of terms we noticed in local development agreements. A more thorough list is attached. Here are a few things we noted in our research:

- The largest agreement is between SSDC1, LLC and the City of Sulphur Springs, which contemplates a total value of \$18.7 billion by the time the agreement concludes.
- A minimum salary of \$67,000 for qualifying jobs is common.
- Many agreements require the use of local contractors and vendors when commercially reasonable.
- Some agreements waive local fees such as permit fees, impact fees, and inspection fees.
- Some cities require an investment in wastewater infrastructure that is eventually repaid by the city, which then stakes custody of the infrastructure. The City of Lancaster has such an

²⁹ Available at <https://comptroller.texas.gov/economy/development/search-tools/sb1340/>.

³⁰ This is the size of a qualifying data center under Tax Code Sec. 151.359. We're estimating local taxes, not the state sales and use tax, but that definition is still useful for assuming the size of a hypothetical data center.

agreement for a \$1.5 million investment in 5,000 feet of sewer lines designed with stubs that allow other buildings or houses to connect in the future.

- The City of Temple has an agreement for 13,000 feet of wastewater main and associated infrastructure, with the reimbursement paid with 4% interest. Temple also agreed to sell 350,000 gallons of water per day and notify the developer if it were not available.
- The City of Garland has two very different agreements entered into between 2015 and 2024.³¹ The 2015 agreement includes a fixed rate for electricity (\$0.048/kWh through 2017) in exchange for the city providing estimates of its usage and maintaining a "lagging power factor" of 0.97. The city agreed to build a substation at its own expense. The agreement also included a \$1.5 million "Fiber Optic Incentive" in its 2015 agreement but not its 2024 agreement. The city also moved from waiving fees up to \$550,000 to offering a \$500,000 fee rebate once certain targets were met.
- The City of Lancaster offered to add 10% to the abatement if the company, called SI DFW02A, LLC or "Stack," moved its regional headquarters to Lancaster, or 15% if the company moved its global headquarters.
- The City of Sulphur Springs offered a land grant of an old landfill property and disclaimed any responsibility for hazardous material or environmental conditions.
- An agreement in Fort Worth included a requirement to spend \$50,000,000 on construction costs with Fort Worth companies.
- Sometimes one company enters into similar agreements with a city and its county at the same time.
 - Lancium with Fort Stockton and Pecos County on Sept. 7, 2021.
 - Wurldwide LLC with City and County of El Paso in December 2023.
 - Wiwynn technology with City of Socorro and County of El Paso in May/June 2025.

³¹ We should note that we haven't spoken with anyone at the City of Garland and don't know their thinking or the reason for the differences in these two agreements.

Appendix A: County resolutions asking for action on data centers.

County	Date Passed	Vote in Favor	Subject	Resolution Details/Notes	Resolution Link	News Links
Anderson	05/04/26	Yes.	RESOLUTION NO. R-04-2026 A RESOLUTION OF THE ANDERSON COUNTY COMMISSIONERS COURT APPROVING AND AUTHORIZING THE TRANSMITTAL OF A LETTER AND ATTACHED CITIZEN PETITION TO STTE OFFICIALS REGARDING DATA CENTER DEVELOPMENT IN UNINCORPORATED AREAS OF THE COUNTY	Commissioners want comprehensive, uniform and statewide standards passed by legislature to ensure balance economic growth, resource conservation, community protection, and environmental safety. On May 18, the court initiated its petition asking for the slow down of data center development in Texas.	Copy available from Public Citizen upon request.	https://www.palestineherald.com/news/commissioners-pass-resolution-seeking-regulation-of-data-centers/article_9f4b72a8-b36d-4705-a01a-0cb7649284ce.html
Angelina	07/14/26	Yes, unanimous.	ANGELINA COUNTY COMMISSIONERS COURT RESOLUTION 010-26 SUPPORTING THE LIMITED REGULATORY AUTHORITY OF COUNTIES IN RURAL AREAS ON EMERGING TECHNOLOGIES INCLUDING DATA CENTERS AND BATTERY STORAGE FACILITIES	Commissioners want buffer zones, noise mitigation, light standards, water impact statement, environmental safety plan, a mandatory hearing, wants techniques and materials to lower thermal footprint, a landscape plan, equipment to be enclosed or completely screened. Includes battery storage facilities.	Copy available from Public Citizen upon request.	https://lufkindailynews.com/news/local/angelina-county-seeks-greater-authority-over-data-center-development/article_fd27c36a-51de-595b-9bf4-58e8634b6641.html
Austin	07/27/26	Yes, unanimous.	AUSTIN COUNTY, TEXAS — BATTERY ENERGY STORAGE SYSTEM AND DATA CENTER MORATORIUM	Commissioners are asking for data center developers to provide further information including an equipment audit. It expresses an emphasized concern toward fire hazards, cybersecurity, and siting of both data centers and battery storage.	https://www.austincounty.com/upload/page/0154/BESS%20and%20DATA%20Center%20Moratorium%20Executed.pdf	https://kwhi.com/2026/07/28/austin-co-commissioners-enact-moratorium-on-data-centers-battery-energy-storage-systems/
Bell	06/15/26	Yes.	A RESOLUTION OF THE BELL COUNTY COMMISSIONERS COURT REGARDING THE ESTABLISHMENT OF ADDITIONAL DATA CENTERS & THE REGULATION OF ADDITIONAL DATA CENTERS IN THE STATE OF TEXAS	Bell County would like data centers to be an interim study priority and a special session to be considered. Not unlike other counties, it is asking for more county authority over land use and data centers, more transparency and more regulatory standards to minimize water use and to protect the grid. A tax abatement resolution for data centers was also discussed but tabled for a future meeting.	https://bloximages.newyork1.vip.townnews.com/kdhnews.com/content/tncms/assets/v3/editorial/e/e7d/e7d97ee3-726f-598c-b824-e071d0b479f3/6a3079afe8d15.pdf	https://kdhnews.com/news/region/data-center-resolution/pdf_e7d97ee3-726f-598c-b824-e071d0b479f3.html
Bosque	04/27/26	Yes, unanimous.	RESOLUTION CALLING FOR ENHANCED REGULATION OF DATA CENTERS IN THE STATE OF TEXAS	The Commissioners are asking for an interim study to be prioritized and possibly a special session regarding data centers. Similar to other comprehensive resolutions, Bosque is asking the legislature to require transparency, reporting, minimum standards, and more. Passed resolution asking for full transparency in electric, water and infrastructure impacts. The county wants coordination across the pertinent agencies. County wants power to enable limited authority over land use, infrastructure planning, and resource impact review.	https://www.bosquecounty.gov/DocumentCenter/View/2419/2026-0427-1-Resolution-Calling-For-Enhanced-Regulation-Of-Data-Centers-In-The-State-Of-Texas	https://www.kxxv.com/news/local-news/in-your-neighborhood/bosque-county-commissioners-discuss-data-center-tax-abate-ments-take-no-action
Brazoria	6/9/2026	Yes, unanimous.	A RESOLUTION BY COMMISSIONERS COURT OF BRAZORIA COUNTY, TEXAS REGARDING THE DEVELOPMENT OF DATA CENTERS AND RELATED FACILITIES IN THE STATE OF TEXAS	The guidelines include that any future data center or related industry in the Houston-area county must safeguard electric grid reliability, water and energy usage, agricultural land and public infrastructure. Brazoria county would like more municipal and county authority over land use. They would like standards set with reasonable setbacks, noise and light mitigation, development fees to improve infrastructure or fund repairs, and development limitations in flood prone areas.	https://brazoriacountytx.legistar.com/View.ashx?M=F&ID=15569465&GUID=82024B7D-4C7D-431C-A244-3CAC0DE21793	https://www.houstonpublicmedia.org/articles/news/local/2026/06/10/554141/brazoria-county-texas-data-center-regulation/
Caldwell	5/14/2026	Yes, unanimous.	RESOLUTION 29-2026 A RESOLUTION OF THE CALDWELL COUNTY COMMISSIONERS COURT REGARDING THE ESTABLISHMENT OF ADDITIONAL DATA CENTERS IN THE STATE OF TEXAS	County wants full accountability of impacts on ERCOT grid reliability, transmission capacity, water availability, ag lands, wildlife, drainage, and soil integrity. They want analysis on long-term infrastructure costs borne by taxpayers. The court wants legislative action to move toward giving counties more say with large-scale data center developments. An interim study is requested to evaluate grid reliability, water consumption, local authority, infrastructure impacts, and fiscal implications plus a special session to address concerns. The Commissioners want legislation to provide counties and municipalities with meaningful participation and authority in land usage, infrastructure planning and resource impact review with data center developments.	https://www.co.caldwell.tx.us/upload/page/0234/5.14.26%20Signed%20Resolution%2029-2026%20Regarding%20Est.%20of%20Addtl.%20Data%20Centers%20in%20Tx.pdf	https://www.co.caldwell.tx.us/page/article/1259
Cameron	4/7/2026	Yes.	2026R04056 RESOLUTION "A RESOLUTION OF THE CAMERON COUNTY COMMISSIONERS' COURT REGARDING THE ESTABLISHMENT OF DATA CENTERS IN CAMERON COUNTY"	The Commissioner's Court wants full and complete transparency of data centers. The Commissioners feel a data center project should not proceed unless there is a full analysis of electrical and transmission impacts, water impacts, agricultural and habitat impacts, and potential impacts on residential and commercial land uses. The Commissions would like standards on water technologies including the use of reclaimed water, and the requirement of demand response participation. They also request additional county and municipal authority over these projects.	https://krgv.s3.amazonaws.com/files/2026r04056_2-pp.pdf	https://www.krgv.com/news/cameron-county-sets-safeguards-for-data-centers-to-protect-electric-grid/
Clay	6/22/2026	Yes.	RESOLUTION 2026-1 COUNTY OF CLAY - RESOLUTION CALLING FOR ENHANCED REGULATION OF DATA CENTERS IN THE STATE OF TEXAS.	Passed resolution asking for full transparency in electric, water and infrastructure impacts. Wants interim studies and special session. County wants power to enable limited authority over land use, infrastructure planning, and resource impact review.	Copy available from Public Citizen upon request.	https://www.msn.com/en-us/news/us/clay-county-commissioners-pass-resolution-opposing-data-centers/ar-AA271bR1

County	Date Passed	Vote in Favor	Subject	Resolution Details/Notes	Resolution Link	News Links
Cooke	5/11/2026	Yes.	RESOLUTION 2026-05-11-006 CALLING FOR ENHANCED REGULATION OF DATA CENTERS IN THE STATE OF TEXAS	Cooke county requests the state to enact comprehensive, enforceable safeguards that protect electrical grid reliability, ensure responsible water use, and respect community resource and public health needs. The county requests transparent reporting of both anticipated electricity and water demand for all proposed data center projects, with full disclosure to local and State planning authorities and the public before final approval. The county requests the state require the mandatory integration of water-efficient cooling technologies or require the utilization of waste or reclaimed water for cooling. The county also requests more local authority over data center projects. The court wants an interim study and a possible special session.	https://www.co.cooke.tx.us/upload/page/3077/docs/CookeCounty05-11-26DataCenterResolution.pdf	https://www.gainesvilleregister.com/news/commissioners-wanting-say-in-upcoming-data-centers/article_1839d774-9cb9-467f-a7e1-3bc54fd06c73.html
Delta	3/10/2026	Yes.	RESOLUTION 2026-03-10-01 RESOLUTION OF THE DELTA COUNTY COMMISSIONERS' COURT ON THE ESTABLISHMENT OF ADDITIONAL DATA CENTERS IN THE STATE OF TEXAS AND CALL FOR SPECIAL LEGISLATIVE SESSION REGARDING LONG-TERM WATER SUSTAINABILITY, INDUSTRIAL WATER DEMAND, AND THE PROTECTION OF FINITE WATER RESOURCES	The Commissioners are requesting interim legislative studies and a possible special session. County wants power to enable limited authority over land use, infrastructure planning, and resource impact review. County wants more authority over impacts on local infrastructure, water resources, and public safety.	https://www.deltacountytx.com/media/6666	No articles found.
Ellis	4/28/2026	Yes, unanimous.	RESOLUTION 2026-428.2 RESOLUTION BY ELLIS COUNTY SUPPORTING ENHANCED REGULATION OF DATA CENTERS IN THE STATE OF TEXAS	Ellis County commissioners unanimously approved a resolution urging the Texas Legislature to give counties additional authority to address data center impacts, citing concerns about electricity, water use, noise and changes to agricultural land use.	https://docaccess.com/docviewer.html?url=https%3A%2F%2Fwww.elliscountytx.gov%2FAgendaCenter%2FViewFile%2FAgenda%2F_04282026-463&url_hash=c3bbe139a86c2bcb3e35f2f510838d5&domain=elliscountytx.gov	https://citizenportal.ai/articles/8657795/texas/ellis-county/ellis-county-court-urges-legislature-to-require-stricter-oversight-transparency-for-data-centers
Fannin	3/31/2026	Yes.	A RESOLUTION OF THE FANNIN COUNTY COMMISSIONERS COURT REGARDING THE ESTABLISHMENT OF DATA CENTERS IN THE STATE OF TEXAS	Passed resolution asking for full transparency in electric, water and infrastructure impacts. Wants interim studies and special session. County wants power to enable limited authority over land use, infrastructure planning, and resource impact review.	STATE OF TEXAS § COUNTY OF FANNIN § A RESOLUTION OF THE FANNIN COUNTY COMMISSIONERS COURT REGARDING THE ESTABLISHMENT OF DATA	https://www.ntxe.com/artman/publish/article_145202.shtml
Fayette	2/26/2026	Yes, passed 4-1.	RESOLUTION IN OPPOSITION TO DATA STORAGE FACILITY DEVELOPMENT OF THE COMMISSIONERS COURT OF FAYETTE COUNTY, TEXAS	Commissioners Court requests legislation that grants counties more authority to protect their communities. The Commissioners would also like to see mandatory bonding minimums to ensure that counties do not incur the cost of data centers decommissioning. The county requests that the state removes the subsidization of data centers in Texas. The Commissioners also noted they would like to see data center developers submit environmental and economic impact studies to the Court prior to taking any development action on such a project.	https://www.co.fayette.tx.us/upload/template/5755/2026/February%202026%20Minutes2.pdf	https://www.fayettecountyrecord.com/news/commissioners-vote-oppose-data-centers-fayette-county
Grayson	3/17/2026	Yes, unanimous.	A RESOLUTION OF THE GRAYSON COUNTY COMMISSIONERS COURT REGARDING THE ESTABLISHMENT OF ADDITIONAL DATA CENTERS IN THE STATE OF TEXAS	Quite extensive resolution, asks legislature to require transparency, reporting, studies, standards, and more. Passed resolution asking for full transparency in electric, water and infrastructure impacts. Wants interim studies and special session. County wants power to enable limited authority over land use, infrastructure planning, and resource impact review.	https://agendasuite.org/iip/grayson/file/getFile/36270	https://citizenportal.ai/articles/7885960/texas/grayson-county/grayson-county-court-adopts-resolution-urging-state-review-citing-water-power-and-noise-concerns
Hays	06/23/26	Yes, unanimous.	RESOLUTION OF THE HAYS COUNTY COMMISSIONERS COURT ESTABLISHING A TEMPORARY EMERGENCY WATER PROTECTION REVIEW PERIOD AND ESTABLISH THE HAYS COUNTY SIGNIFICANT WATER DEMAND DEVELOPMENT REVIEW BOARD	Hays County tried to initiate a data center moratorium on data centers in February 2026 which did not pass. However, an emergency resolution was approved on June 23, 2026 to pause the review, processing, and approval of high-water-use industrial developments including data centers in unincorporated areas through December 31, 2026 due to a water shortage.	Copy available from Public Citizen upon request.	https://www.kvue.com/article/news/local/hays-county/hays-county-data-center-projects-pause/269-ddda0818-1e15-4940-8c23-aa6f790a793a and https://www.kut.org/energy-environment/2026-06-23/hays-county-tx-data-centers-water-review-board
Henderson	5/12/26	Yes, unanimous.	A RESOLUTION OF THE HENDERSON COUNTY COMMISSIONERS COURT REGARDING THE ESTABLISHMENT OF ADDITIONAL DATA CENTERS IN THE STATE OF TEXAS	Asks the legislature to require transparency, reporting, studies, standards, and more. Passed resolution asking for full transparency in electric, water and infrastructure impacts. Wants interim studies and special session. County wants power to enable limited authority over land use, infrastructure planning, and resource impact review.	Copy available from Public Citizen upon request.	Diode cancelled a project here: https://gov.texas.gov/uploads/files/press/Diode.pdf

County	Date Passed	Vote in Favor	Subject	Resolution Details/Notes	Resolution Link	News Links
Hill	5/12/26 and 6/4/26	3-2 vote for moratorium, later repealed. A 2nd resolution passed unanimously.	HILL COUNTY. TEXAS GREEN ENERGY AND DATA CENTER MORATORIUM and Proclamation of The Hill County Commissioners Court and Hill County Major Industrial Development Review Policy	Hill County's moratorium was the first passed in the state, but was rescinded several weeks later in June after the developer filed \$110 million suit, and an extensive development checklist was unanimously passed. The link is included for the checklist in this document.	https://www.co.hill.tx.us/upload/template/28749/docs/CC%2026/Commissioners%20Court%20Agenda%20May%2012%202026.pdf New development rules here: https://www.co.hill.tx.us/upload/template/28749/docs/CC%2026/ccagenda_06042026.pdf	https://www.chron.com/texas/article/hill-county-texas-data-centers-22256814.php and https://www.texastribune.org/2026/06/05/texas-hill-county-moratorium-rescinded-data-centers/
Hood	2/10/26 and 2/24/26	Yes.	HOOD COUNTY COMMISSIONERS' COURT RESOLUTION ON THE ESTABLISHMENT OF ADDITIONAL DATA CENTERS IN THE STATE OF TEXAS AND CALL FOR SPECIAL LEGISLATIVE SESSION	Initial February moratorium failed. Later a resolution was passed asking for legislature to 1. Enact policies that require transparent reporting of project electricity and water demand, with full disclosure to local and State planning authorities before final approval. 2. Ensure rigorous independent assessment of data center impacts on State grid and regional water resources and is in compliance with the Lone Star Infrastructure Protection Act and the Critical Infrastructure Protection Act. Ensure data centers will not contribute to water shortages. 3. Require State Agencies to adopt regulatory standards that prioritize efficiencies including that for water-efficient cooling technologies or utilization of waste or reclaimed water for cooling. 4. Provide mechanisms for counties and municipalities to participate meaningfully in land and resource use decisions.	Copy available from Public Citizen upon request.	https://www.texastribune.org/2026/02/10/texas-hood-county-rejects-data-center-development-pause-ai/
Hudspeth	4/14/26	Yes.	RESOLUTION 2026-013 A RESOLUTION OF THE HUDSPETH COUNTY COMMISSIONERS COURT REGARDING THE ESTABLISHMENT OF ADDITIONAL DATA CENTERS IN THE STATE OF TEXAS	The court's resolution asks the legislature to require transparency, independent impact analysis, full reporting of water and electrical use, agency standards, and more. Wants interim studies and special session. County wants power to enable limited authority over land use, infrastructure planning, and resource impact review.	https://www.co.hudspeth.tx.us/upload/page/0096/docs/Signed%20Resolution%202026-013-%20Data%20Centers%204.14.26.pdf	No articles found specific to this county.
Hunt	4/13/25 and 7/28/26	Both passed unanimously.	RESOLUTION #1 - 20214- A RESOLUTION OF THE COMMISSIONERS COURT OF HUNT COUNTY, TEXAS SUPPORTING THE ENACTMENT OF PROPOSED BILL 3, WHICH WOULD GRANT COUNTIES EXPRESS AUTHORITY TO ENTER INTO AND ENFORCE RECORDED DEVELOPMENT AGREEMENTS CONCERNING CERTAIN HIGH-IMPACT DEVELOPMENT, INCLUDING DATA CENTERS, IN THE UNINCORPORATED AREA OF THE COUNTY. RESOLUTION #2 - 20215: A RESOLUTION OF THE COMMISSIONERS COURT OF HUNT COUNTY, TEXAS SUPPORTING THE ENACTMENT OF PROPOSED BILL 4, WHICH WOULD REQUIRE THAT CONSTRUCTION TRAFFIC FOR CERTAIN HIGH-IMPACT DEVELOPMENT, INCLUDING DATA CENTERS, PROCEED ONLY UNDER A ROAD-USE AND MAINTENANCE AGREEMENT WITH THE HOST COUNTY, OR AN EQUIVALENT SECURED UNDERTAKING, BACKED BY FINANCIAL ASSURANCE.	Hunt county passed an initial letter and put forward a citizen petition in April regarding data center regulation. Asks for Lege to pause all development until regulations are flushed out on multiple topics. On July 28, the county passed 2 more resolutions asking the state to grant more authority to counties to address roads, drainage, fire protection, noise, water use reporting, and data center financial assurance for decommissioning. A second resolution on July 28 was passed supporting proposed legislation requiring the developers of data centers and other high-impact development to enter into road-use and maintenance agreements with the host county, secured by financial assurance, providing for pre- and post-construction surveys of county roads and repair of construction damage at the data center's expense.	Resolution and petition from 4/14/26: https://apps.huntcounty.net/minutes/LinkedDir/2026/Links%202026-04-14-Regular/20027.pdf 2 Resolutions from 7-28: Resolution #1: https://apps.huntcounty.net/minutes/LinkedDir/2026/Links%202026-07-28-Regular/20214.pdf and Resolution 2 on road agreements link: https://apps.huntcounty.net/minutes/LinkedDir/2026/Links%202026-07-28-Regular/20215.pdf	https://www.heraldbanner.com/news/local_news/commissioners-approve-data-center-resolution-at-monday-meeting/article_13a6debf-507d-4960-9dc1-49b62029d98f.html and https://citizenportal.ai/articles/8761306/texas/hunt-county/hunt-county-approves-resolutions-asking-texas-legislature-to-give-counties-new-tools-to-manage-large-data-centers
Johnson	4/13/2026	Yes, unanimous.	RESOLUTION CALLING FOR ENHANCED REGULATION OF DATA CENTERS IN THE STATE OF TEXAS	Passed resolution asking for full transparency in electric, water and infrastructure impacts. Wants interim studies and special session. County wants power to enable limited authority over land use, infrastructure planning, and resource impact review.	https://www.johnsoncountytexas.org/home/showpublisheddocument/19981/639116946366100000	https://www.cleburnetimesreview.com/news/commissioners-declare-data-center-resolution/article_9d898350-98e9-4f36-8dd2-e9d7a6bbcd4.html
Karnes	4/28/2026	Yes, unanimous.	A RESOLUTION OF THE KARNES COUNTY COMMISSIONERS COURT REGARDING THE ESTABLISHMENT OF ADDITIONAL DATA CENTERS IN THE STATE OF TEXAS	The county wants comprehensive and enforceable safeguards regarding the grid and water use practices. The county wants protections for land and habitat. Guardrails need to be in place to prevent excessive road, drainage, and infrastructure damage. The county is asking for transparency, independent analyses, a requirement of efficient practices. They want an interim study, and possibly a special session. They want counties and municipalities to have more decision authority.	https://bloximages.newyork1.vip.townnews.com/southtexasnews.com/content/tncms/assets/v3/editorial/d/96/d96a633d-3365-40f0-9ba9-c68b2833a1be/69f0d5304e6f3.pdf	https://www.southtexasnews.com/karnes-countywide/karnes-county-commissioners-court-approves-data-center-resolution/article_9241198b-33d9-4d11-89b9-33c2ea9f2905.html

County	Date Passed	Vote in Favor	Subject	Resolution Details/Notes	Resolution Link	News Links
Lampasas	4/27/26	Yes, passed 4-1.	RESOLUTION OF THE COMMISSIONERS COURT OF LAMPASAS COUNTY, TEXAS REGARDING BATTERY ENERGY STORAGE SYSTEM AND DATA CENTER DEVELOPMENT WITHIN LAMPASAS COUNTY	The resolution is the County Commissioners direct expression of opposition to the building of BESS & data centers within the county.	Copy available from Public Citizen upon request.	https://www.lampasasdispatchrecorder.com/news/commissioners-court-says-no-data-centers-battery-energy-storage-systems-now
Lubbock	8/10/2026	Yes, passed 4-1.	A RESOLUTION OF THE LUBBOCK COUNTY COMMISSIONERS COURT REGARDING LARGE-SCALE INDUSTRIAL DEVELOPMENT IN THE STATE OF TEXAS	Resolution asks for more transparency from large-scale industrial users including data centers. Want greater transparency including water and electric. Wants bonding to cover cleanup costs if the facility closes.	https://lubbockcounty.legistar.com/View.ashx?M=F&ID=15744469&GUID=87B3AF67-5815-48D4-8E6A-457E420D34BC	https://www.kcbd.com/2026/08/10/lubbock-county-commissioners-pass-resolution-regarding-large-scale-industrial-development-texas/
Morris	6/22/2026	Yes, unanimous.	A RESOLUTION OF THE COMMISSIONERS COURT OF MORRIS COUNTY, TEXAS, SUPPORTING RESPONSIBLE REGULATION OF DATA CENTERS IN THE STATE OF TEXAS	Similar to other comprehensive resolutions asking the legislature to require transparency, reporting, studies, standards, and more. Passed resolution asking for full transparency in electric, water and infrastructure impacts. The county wants coordination across the pertinent agencies. County wants power to enable limited authority over land use, infrastructure planning, and resource impact review.	https://newtools.cira.state.tx.us/upload/page/3408/Data%20Center%20Resolution%206-26.pdf	https://www.aol.com/news/east-texas-county-passes-resolution-203214921.html and https://www.ketk.com/news/local-news/morris-county-adopts-resolution-to-support-regulation-of-data-centers/
Parker	6/9/2026	Yes, unanimous.	RESOLUTION CALLING FOR ENHANCED REGULATION OF DATA CENTERS IN THE STATE OF TEXAS	The resolution calls for the state to implement safeguards to: Protect electric grid reliability and prevent cost burdens on residential, agricultural, and small business ratepayers; Ensure responsible, sustainable, and transparent water use practices; Protect agricultural lands, rangelands, wildlife habitats, and natural drainage systems by requiring careful site selection, avoidance of prime farmland and ecologically sensitive areas where practicable, and appropriate mitigation of habitat fragmentation and stormwater impacts; Prevent degradation of county roads, drainage systems, and other public infrastructure; and Safeguard community welfare, public health, and environmental quality.	Copy available from Public Citizen upon request.	https://www.weatherford-news.com/stories/commissioners-address-data-center-concerns,170764 and https://www.star-telegram.com/news/local/article316066284.html
Polk	3/24/2026	Yes, unanimous.	RESOLUTION OF THE POLK COUNTY COMMISSIONERS COURT REGARDING THE ESTABLISHMENT OF ADDITIONAL DATA CENTERS IN THE STATE OF TEXAS	Polk county passed an extensive resolution, asking the legislature to require transparency, reporting, studies, standards, and more. The resolution asking for full transparency in electric, water and infrastructure impacts. The court wants interim studies and special session. The county would like additional authority over land use, infrastructure planning, and resource impact review. See also: Polk County, Texas Industrial High-Load Facility Site Impact Permit Policy, a checklist of development requests passed by the county during the same commissioner's meeting.	https://polkcotx.portal.civicclerk.com/event/1899/files/attachme nt/3525 and industrial policy for data centers, etc is https://polkcotx.portal.civicclerk.com/event/1899/files/attachme nt/3531	https://www.ktre.com/video/2026/03/24/polk-county-seeks-stronger-oversight-prospective-data-centers-amid-water-concerns/
Somervell	5/11/2026	Yes, unanimous.	RESOLUTION ON THE ESTABLISHMENT OF ADDITIONAL DATA CENTERS AND POWER PLANTS IN SOMERVELL COUNTY, TEXAS	The county requests the state to enact comprehensive, enforceable safeguards that protect electrical grid reliability, ensure responsible water use, and respect community resource and public health needs. The county requests transparent reporting of both anticipated electricity and water demand for all proposed data center and power plant projects, with full disclosure to local and State planning authorities and the public before final approval. The county requests the state require the mandatory integration of water-efficient cooling technologies or require the utilization of waste or reclaimed water for cooling. Finally the county requests more local authority to mandate and regulate ground water usage for such projects with the authority to stop drilling for ground water and/or ground water usage for industrial or business purposes if violations are occurring.	https://somervellcountytx.igm2.com/Citizens/Detail_Legifile.aspx?MeetingID=1860&ID=9321	https://www.nbcdfw.com/news/local/north-texas-counties-push-for-more-local-control-over-data-centers/4022825/
Tom Green	4/20/2026	Yes, unanimous.	Resolution 2026-08: Resolution Calling for Enhanced Regulation of Data Centers in the State of Texas	The resolution requests that the Legislature: Improves transparency on electricity and water usage projections and prioritizes an interim study on grid reliability, water consumption, infrastructure impacts and fiscal implications. The county is requesting more authority regarding data center projects. Finally, it asks the legislature to consider a special session. On May 26, Commissioners considered a 12-month moratorium on data center and green projects but the vote was tabled.	https://www.conchovalleyhome page.com/wp-content/uploads/sites/83/2026/04/12-Resolution.pdf	https://www.yahoo.com/news/articles/tom-green-county-commissioners-call-161331969.html?fr=yhssrp_catchall
Wise	3/9/2026	Yes, unanimous.	A RESOLUTION OF THE WISE COUNTY COMMISSIONERS COURT REGARDING THE ESTABLISHMENT OF ADDITIONAL DATA CENTERS IN THE STATE OF TEXAS	Similar to the Johnson County, the resolution asks the legislature to enact policy that requires transparency, reporting, studies, standards, and more. Passed resolution asking for full transparency in electric, water and infrastructure impacts. Wants interim studies and special session. County wants power to enable limited authority over land use, infrastructure planning, and resource impact review.	https://www.co.wise.tx.us/Docu mentCenter/View/7546/DATA-CENTER-RESOLUTION	https://www.wcmessenger.com/articles/commissioners-call-for-state-action-on-data-center-development/

Appendix B: Local Development Agreements (Chapters 380/381) for data centers.

Name	Location	Agr. No.	Interesting terms or provisions noted by Public Citizen	Investment	Jobs	Yrs	% and PILOT
Lancium LLC	City of Fort Stockton	0000148	full-time workers should have a minimum average salary of \$67,000; PILOT fee will increase by 10% if fewer than 43 workers are hired; Local hiring, vendors, contracts, job fair (This agreement was signed the same day as the Pecos County Agreement No. 2181)	\$800,000,000	57	20	100% PILOT: \$277k/yr
Quality Technology Services, LLC	City of Irving	0000543		\$90,000,000		10	50%
RagingWire Data Centers, Inc	City of Garland	0001806	Electricity rate: \$0.048/kWh through December 31, 2017. The pricing for this rate incorporates peak load ramps based on an average 50% monthly load factor with a 25%-75% wide band of monthly usage. The City shall pay to Developer \$1,500,000.00 ("Fiber Optic Incentive") as an incentive to bring Fiber Optic infrastructure to the Property. The City also agrees to waive inspection fees, pennit fees, and all applicable platting fees or mitigation fees up to \$550,000.00 in fees.	\$90,000,000 real prop; \$242,800,000 biz pers prop		10	50%
Compass Datacenters DFW III, LLC	County of Ellis	0001883	Grants will be given if the company makes a minimum capital investmentment of \$500,000,000 by the end of the 5 year abatement period, hired the minimum amount of people, no limit to phases of development but grants will only be given to phases that recieve Certification of Occupancy up until May 2028	\$300,000,000	40	10	Real property: 75% up to 300M, then 85% Personal property: 100%
RELLIS Data and Research Center, LLC	City of Bryan	0001979		\$200,000,000		10	50%
Lancium LLC	County of Pecos	0002181	full-time workers should have a minimum average salary of \$67,000; PILOT fee will increase by 10% if fewer than 43 workers are hired; Local hiring, vendors, contracts, job fair.	\$800,000,000	57	20	100% PILOT: \$598k/yr
Fort Blocks LLC	County of Pecos	0002185	full time workers should have a minimum salary of \$67,000; local hiring, job fair, local contarcts and vendors (this agreement is a later version of agreement no. 0002181)	\$100,000,000	50	20	100% PILOT: About \$193k/yr
Digital Realty Trust, L.P.	City of Dallas	0002259					

Name	Location	Agr. No.	Interesting terms or provisions noted by Public Citizen	Investment	Jobs	Yrs	% and PILOT
Equinix	County of Dallas	0003113	developer to increase the city's tax base by 128 million by January 1st 2021; workers should have an average yearly salary of \$62,000	\$108,000,000	25	5	50% of real prop; \$108 M minimum
Winner, LLC	City of Fort Worth	0004880	This is an economic development agreement with an obligation for the city to pay "program grant" amounts once certain obligations are met. There is also a tax abatement agreement. Requirement to spend \$50 million in construction costs with Fort Worth companies, including \$25 million to W/MBE Companies	\$250,000,000	40		
Rellis Campus Data and Research Center, LLC	County of Brazos	0005105		\$200,000,000		10	50%
Sharka, LLC	County of Ellis	0006158		\$500,000,000	40	10	100%
Denison Real Estate, LLC	City of Denison	0006226					
Switch, Ltd.	City of Round Rock	0006911	EIPs (Economic Impact Payments) in an amount equal to 50% of the sales and use tax collected and remitted by SWITCH and actually paid to the City on the city's local option 1% sales tax rate.	\$80,000	15	15	50%
Microsoft Corporation (SN4)	City of San Antonio	0007496	qualifying jobs must be paid 120% of the counties average weekly wage; grantee must spend 120% of its annual operating budget on subcontracts with businesses that are minority owned or women-owned that are local to the San Antonio area; guarantee to enter in research and development agreement with the University of San Antonio to collaborate on projects related to distributed generational technology; grantee to give \$1,000,000 to UTSA to be used for research and technology programs	\$250,000,000	20	15	100% (previous agreement). Grant payment of 40% of taxes due up to \$5M, then 63% of taxes due
Green Data LLC	City of Temple	0008087	Lots of terms related to water access: 350k gal water/day from the city tax abatement agreement is another document	\$225,000,000	20		

Name	Location	Agr. No.	Interesting terms or provisions noted by Public Citizen	Investment	Jobs	Yrs	% and PILOT
Worldwide LLC	City of El Paso	0008173	Subsequent phases also can get the 80% Prop Tax Revenue for 15 years	\$800,000,000	50	15	80%
Worldwide, LLC	County of El Paso	0008553	Companion agreement with No. 0008173	\$800,000,000	50	15	80%
Lancium LLC	County of Pecos	0009160	Local hiring, vendors, contracts, job fair.	\$30,000,000	15	18	Everything less 3k/yr PILOT: \$190,170 for 2023 onl?
Fort Blocks LLC	County of Pecos	0009161	full time workers should have a minimum salary of \$67,000; local hiring, job fair, local contracts and vendors (modeled after agreement no. 0002185)	\$30,000,000	15	20	100% \$30k/yr Deferral payments totaling \$291k
CP Lancaster Land, LP	City of Lancaster	0009380	Company will install \$1.5M worth of wastewater pipe, to be reimbursed; must donate \$5k/yr to city events, sewer lines must have stubs (so houses or buildings can connect in the future), once the infrastructure is built it becomes city property (city can then take over maintaining the infrastructure long term)	\$250,000,000			Only the value of the data center is taxed
SI DFW02A, LLC (STACK)	City of Lancaster	0009381	tax abatement amount increase as the value of the property increases; there is an additional 10% incentive for moving regional HQ to Lancaster and 15% for global HQ	\$125,000,000	15	10	25%, then 35% when value is \$250M; then 45% at \$375M
BPP Projects, LLC	City of Taylor	0009906	work with local recruiting agency to enhance recruitment of minority employees + hold one or more recruitment fairs to hire people that are representative of Taylor county, reasonable efforts to acquire good and services from small businesses	\$75,000,000	5	10	
Quality Technology Services, LLC	City of Irving	0010524	This is an update to the agreement already made, No. 0000543. Eligible Real Property Investment Value and Eligible BPP Value needs to reach \$110,000,000 by January 1st 2020 and needs to be maintained for the next 10 consecutive years	\$110,000,000			

Name	Location	Agr. No.	Interesting terms or provisions noted by Public Citizen	Investment	Jobs	Yrs	% and PILOT
DDI Garland LLC	City of Garland	0010527	This is a later version of an agrementn by Garland, compare toi No. 0001806. This one does not include provisions for fixed rates for as the previous one did. Or the fiber optic incentive. It includes a \$500,000 rebate for fees.	\$85,000,000			40% biz pers property for 2 yrs; 40% real prop for 4 yrs; \$500k development fee rebate
Crusoe Energy Systems, LLC	County of Howard	0011308		\$100,000,000	10	5	70-100%, depending on the property value
Rellis Campus Data and Research Center, LLC	County of Brazos	0011730	Termination of previous agreement on April 29, 2025 after bankruptcy halted construction. See https://www.kbtx.com/2025/11/11/company-building-rellis-campus-data-research-center-files-bankruptcy/	N/A	N/A	N/A	N/A
SSDC1, LLC	City of Sulphur Springs	0011737	This is a land grant of an old landfill property with a three year deadline for substantial completion of the project. The city disclaimed responsibility for any hazardous substance or environmental condition. Companion to agreement No. 0011738.				
SSDC1, LLC	City of Sulphur Springs	0011738	By far the largest investment of any agreement on this list. City provided access to 18-inch water main and 12-inch sewer main.	\$18.7 billion		12	50%, (contingent on state law)
Wiwynn Technology Corporation	County of El Paso	0011869	"Under no circumstances shall the total Grant payment exceed \$2,034,827.64"	\$92,000,000	514 within three years	10	14,000 annually also property tax grant of 80%
Wiwynn Technology Corporation	City of Socorro	0011973	Partner to county agreement no. 0011869	\$92,000,000		10	grant payments cannot exceed \$1,255,399.50

Name	Location	Agr. No.	Interesting terms or provisions noted by Public Citizen	Investment	Jobs	Yrs	% and PILOT
Compass Datacenters DFW III, LLC	County of Ellis	0012174	The agreement will terminante if a Certification of Occupancy is not made within 5 years of the effective date,	\$40,000,000	40	10	Real property: 75% up to 300M, then 80% Personal property: 100%
Winner, LLC	City of Fort Worth	0012683	This is an amendment to the city's tax abatement agreement with Winner.	\$250,000,000	40	20	

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