

RESOLUTION

MIDLOTHIAN INDEPENDENT SCHOOL DISTRICT

January 21, 2008

WHEREAS, on November 6, 2007, the citizens of Midlothian elected to approve the sale of beer and wine for off-premise consumption and the sale of mixed beverages in restaurants that hold a food and beverage certificate; and

WHEREAS, on January 8, 2008, the City of Midlothian, Texas passed an ordinance (the "Ordinance") establishing regulations governing the sale of alcohol, including, among other things, distance regulations for alcohol sales near churches, schools, and hospitals; and

WHEREAS, Section 3.3 (A)(1) of the Ordinance prohibits sales of alcohol within three hundred (300) feet of public schools; and

WHEREAS, Section 3.3 (A)(2) of the Ordinance makes provision for a possible future expansion of this prohibition to one thousand (1,000) feet, upon approval of a request from the School District under Texas Education Code §38.007; and

WHEREAS, Texas Education Code §38.007 states, in relevant part, that:

. . . the [school] board, if a majority of the area of a district is located in a municipality with a population of 900,000 or more, may petition the commissioners court of the county in which the district is located or the governing board of an incorporated city or town in which the district is located to adopt a 1,000-foot zone under Section 109.33, Alcoholic Beverage Code.

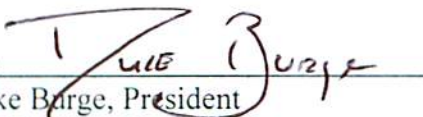
WHEREAS, Midlothian I.S.D. is not located within any municipality having a population of 900,000 or more; and


WHEREAS, the Midlothian I.S.D. nonetheless fully supports restrictions on sales of alcoholic beverages near its instructional facilities, in accordance with and to the extent permitted by state law;

NOW THEREFORE, BE IT RESOLVED that the Board of Trustees of the Midlothian Independent School District will request that the City of Midlothian, Texas adopt a 1,000-foot zone around all of its instructional facilities under Texas Alcoholic Beverage Code §109.33 when and to the extent the School District is authorized and permitted to do so by Texas Education Code §38.007, as it is currently written or upon amendment.

PASSED, APPROVED AND ADOPTED BY THE BOARD OF TRUSTEES OF THE MIDLOTHIAN INDEPENDENT SCHOOL DISTRICT, on the 21st day of January, 2008.

MIDLOTHIAN INDEPENDENT SCHOOL DISTRICT

By: 
Duke Barge, President
Board of Trustees

Attest: 
Jay Roberts, Secretary
Board of Trustees