

THE ATTORNEY GENERAL

The *Texas Register* publishes summaries of the following:
Requests for Opinions, Opinions, Open Records Decisions.

An index to the full text of these documents is available from
the Attorney General's Internet site <http://www.oag.state.tx.us>.

Telephone: 512-936-1730. For information about pending requests for opinions, telephone 512-463-2110.

An Attorney General Opinion is a written interpretation of existing law. The Attorney General writes opinions as part of his responsibility to act as legal counsel for the State of Texas. Opinions are written only at the request of certain state officials. The Texas Government Code indicates to whom the Attorney General may provide a legal opinion. He may not write legal opinions for private individuals or for any officials other than those specified by statute. (Listing of authorized requestors: <http://www.oag.state.tx.us/opinopen/opinhome.shtml>.)

Requests for Opinions

RQ-0090-KP

Requestor:

The Honorable Micheal E. Jimerson

Rusk County and District Attorney

115 North Main Street, Suite 302

Henderson, Texas 75652

Re: Whether the Rusk County School District tax violates article VIII, section 1-e of the Texas Constitution (RQ-0090-KP)

Briefs requested by February 16, 2016

RQ-0091-KP

Requestor:

The Honorable Ana Markowski Smith

Val Verde County Attorney

207 East Losoya Street

Del Rio, Texas 78840

Re: Whether a school district board of trustees may fill a vacancy through special election on a uniform election date more than 180 days from the onset of the vacancy (RQ-0091-KP)

Briefs requested by February 24, 2016

For further information, please access the website at www.texasattorneygeneral.gov or call the Opinion Committee at (512) 463-2110.

TRD-201600331

Amanda Crawford

General Counsel

Office of the Attorney General

Filed: January 26, 2016



Opinions

Opinion No. KP-0058

The Honorable Dan Flynn

Chair, Committee on Pensions

Texas House of Representatives

Post Office Box 2910

Austin, Texas 78768-2910

Re: Proper procedure for a state agency when a court recognizes a new constitutional right and compliance with the ruling requires additional state funds (RQ-0039-KP)

S U M M A R Y

When a state agency faces a shortage of appropriated funds due to an unexpected occurrence, the agency may consider statutory mechanisms that may be available to address fiscal emergencies, including those found in chapters 317 and 401 of the Government Code.

Opinion No. KP-0059

The Honorable Chris Taylor

Tom Green County Attorney

122 West Harris

Criminal Justice Center

San Angelo, Texas 76903

Re: Authority of a county commissioners court to establish requirements for indigent health care under the Texas Indigent Health Care and Treatment Act and relevant federal law (RQ-0041-KP)

S U M M A R Y

State statutory and administrative law prohibits a county commissioners court from adopting county requirements that categorically restrict eligibility for county indigent health care contrary to state and federal law. Whether an alien who is an eligible county resident under the Texas Indigent Health Care and Treatment Act may receive county indigent health care will depend on the relevant provisions of the federal Personal Responsibility and Work Opportunity Reconciliation Act of 1996 governing the specific benefits at issue.

For further information, please access the website at www.texasattorneygeneral.gov or call the Opinion Committee at (512) 463-2110.

TRD-201600341

Amanda Crawford

General Counsel

Office of the Attorney General

Filed: January 26, 2016

