

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-0131-KP

Requestor:

The Honorable Jerry D. Rochelle
Bowie County Criminal District Attorney
601 Main
Texarkana, Texas 75504

Re: The effect of a conviction in another state, and a subsequent restoration of rights by the other state, on an individual's ability to run for or hold public office in Texas (RQ-0131-KP).

Briefs requested by November 3, 2016.

RQ-0132-KP

Requestor:

The Honorable Martin Placke
Lee County Attorney
200 South Main, Room 305
Giddings, Texas 78942

Re: Which type of bond is required of a county attorney who also performs the functions of a district attorney (RQ-0132-KP).

Briefs requested by November 3, 2016.

RQ-0133-KP

Requestor:

The Honorable Charles Schwertner
Chair, Committee on Health and Human Services
Texas State Senate
Post Office Box 12068
Austin, Texas 78711-2068
The Honorable Joan Huffman
Chair, Committee on State Affairs
Texas State Senate
Post Office Box 12068
Austin, Texas 78711-2068

Re: Whether doctors of osteopathy are authorized to issue certificates of medical examination and other relevant documents under chapter 574 of the Health and Safety Code (RQ-0133-KP).

Briefs requested by October 27, 2016.

Briefs requested by November 3, 2016.

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

TRD-201605203
Amanda Crawford
General Counsel
Office of the Attorney General
Filed: October 10, 2016



Opinions

Opinion No. KP-0116

The Honorable Billy W. Byrd
Upshur County Criminal District Attorney
405 North Titus Street
Gilmer, Texas 75644

Re: Whether a county commissioners court has authority to expend county funds on holiday decorations and county literacy programs (RQ-0105-KP).

S U M M A R Y

Under §381.004 of the Local Government Code, a commissioners court may expend county funds on holiday lights and decorations on county buildings and facilities, and may expend county funds to contract with or donate to a local county literacy program, to the extent that such expenditures serve purposes specified in the statute. Whether a particular expenditure serves a purpose specified in §381.004 and meets the requirements of article III, section 52(a) of the Texas Constitution is for the commissioners court to determine in the first instance, subject to judicial review. A court would likely conclude that such a holiday light display is not a violation of the Establishment Clause.

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

TRD-201605215

Amanda Crawford
General Counsel
Office of the Attorney General
Filed: October 11, 2016

