

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-0134-KP

Requestor:

The Honorable Jo Anne Bernal

El Paso County Attorney

500 East San Antonio

El Paso, Texas 79901

Re: Whether Texas election judges are required to take the oath of office prescribed by Texas Constitution article 16, section 1 (RQ-0134-KP).

Briefs requested by November 10, 2016

RQ-0135-KP

Requestor:

The Honorable Nicholas "Nico" LaHood

Bexar County Criminal District Attorney

101 West Nueva, 7th Floor

San Antonio, Texas 78205-3030

Re: Which official has authority to appoint associate judges to preside over proceedings for court-ordered mental health services pursuant to section 574.0085 of the Health and Safety Code (RQ-0135-KP).

Briefs requested by November 16, 2016

RQ-0136-KP

Requestor:

David Fleegeer, M.D.

Chair, Board of Directors

Texas Health Services Authority

5900 Southwest Parkway

Building 2, Suite 201

Austin, Texas 78735

Re: Whether certain funds received by Texas Health Services Authority are public funds under the Public Funds Investment Act, chapter 2256 of the Government Code (RQ-0136-KP).

Briefs requested by November 17, 2016

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

TRD-201605439

Amanda Crawford

General Counsel

Office of the Attorney General

Filed: October 18, 2016



Opinions

Opinion No. KP-0117

The Honorable Jim Keffer

Chair, Committee on Natural Resources

Texas House of Representatives

Post Office Box 2910

Austin, Texas 78768-2910

Re: Whether an appointing member city's governing body may remove a director it has appointed to the North Texas Municipal Water District (RQ-0106-KP).

S U M M A R Y

A court would likely conclude that member cities of the North Texas Municipal Water District ("District") have implied authority to fill a vacancy occurring on the District's board of directors prior to the end of a director's term to the extent that doing so is necessary to maintain the position filled. But if a sitting director is able to serve until his successor is appointed and qualified, we find no authority from which could be implied the power of a member city to remove a District director, with or without cause, prior to the end of the director's term.

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

TRD-201605429

Amanda Crawford

General Counsel

Office of the Attorney General

Filed: October 18, 2016

