



**THE ATTORNEY GENERAL
OF TEXAS**

AUSTIN 11, TEXAS

GROVER SELLERS

~~ATTORNEY GENERAL~~

Honorable J. O. Ward
County Attorney
Hutchinson County
Borger, Texas

Dear Sir:

Opinion No. 0-7293

Re: May the qualified voters of a consolidated school district, such consolidation comprising an independent school district and a common school district, cast their vote for a county school trustee at large in an election for County School Trustees?

We have received your letter of July 12, 1946, reading as follows:

"In requesting an opinion from you on a question of the school laws of this State, I respectfully submit the following:

"STATEMENT OF FACTS

"1. The Pantex Common School District and the Borger Independent School District consolidated their school districts in May 1945.

"2. A dispute has arisen concerning the right of the voters of this consolidated school district to cast their vote for the County School Trustee at Large of Hutchinson County, Texas.

"3. Article 2676 of the Revised Civil Statutes of Texas, 1925, and of Vernon's Annotated Statutes of Texas, provides, in regard to the election of such trustee, in part as follows: 'One of whom shall be elected from the county at large by the qualified voters of the common and consolidated independent school districts of the county, and one from each Commissioners Precinct by the qualified voters of each Commissioners Precinct.'

"Question: May the qualified voters of a consolidated school district, such consolidation comprising an independent school district and a common school district, cast their vote for a County School Trustee at Large in an election for County School Trustees?"

Assuming proper consolidation of the districts mentioned, it necessarily follows that the new district is a "consolidated independent district." Article 2806, V. A. C. S. The express language of Article 2676, V.A.C.S., allows the qualified voters of such a district to cast their ballots for a County School Trustee at Large.

Therefore, your question is answered in the affirmative.

Yours very truly

APPROVED JUL 24, 1946

ATTORNEY GENERAL OF TEXAS

/s/ W. V. Geppert

(Acting) ATTORNEY GENERAL OF TEXAS

By /s/ Woodrow Edwards
Woodrow Edwards
Assistant

WE:BT:LM

APPROVED
OPINION
COMMITTEE
BY /s/ BWB
CHAIRMAN