



**THE ATTORNEY GENERAL  
OF TEXAS**

**AUSTIN, TEXAS 78711**

**CRAWFORD C. MARTIN  
ATTORNEY GENERAL**

May 17, 1968

Dr. J.W. Edgar  
Commissioner of Education  
Texas Education Agency  
Austin, Texas 78711

Opinion No M-236

Re: Whether Article 2786e,  
V.C.S., authorizes an  
independent school dis-  
trict to issue time  
warrants for purchase of  
land only, which is de-  
sired for school building  
or classroom construction  
needs projected into the  
future.

Dear Dr. Edgar:

You have requested that the Attorney General render an opinion on whether Article 2786e, Vernon's Civil Statutes, authorizes an independent school district to issue time warrants for purchase of land only (not to exceed \$25,000), which is desired for school building or classroom construction to be built at some future time

Section One of Article 2786e, reads as follows:

"Section 1. Any school district in the State of Texas in need of funds to repair or renovate school buildings; purchase school buildings and school equipment; to equip school properties with necessary heating, water, sanitation, lunchroom and electric facilities; or is need of funds with which to employ an individual firm or corporation deemed to have special skill and experience to compile taxation data for use by its board of equalization; and said school district is financially unable out of available funds to make such repairs, renovations of school buildings, purchase school buildings, purchase school equipment, to equip school properties with necessary heating, water, sanitation, lunchroom or electric facilities or is unable to pay such individual or corporation for the performance of the professional duties hereinabove mentioned, may, subject to the provisions hereof, issue interest-bearing time warrants, in amounts sufficient to make such purchase and improvements, to pay all or part of the compensation of such individual, firm or corporation to compile such data, any law to the contrary notwithstanding. Such warrants shall mature in serial installments of not more than five (5) years from their date of

issue, and to bear interest at a rate not to exceed six per centum (6%) per annum. Such warrants shall upon maturity be payable out of any available funds of such school district in the order of their maturity dates. Any such interest-bearing time warrants so issued may be issued and sold by such district for not less than their face value, and the proceeds thereof used to provide funds required for the purpose for which they are issued. Such warrants shall be entitled to first and prior payment out of any available funds of such district as they become due. Included in such purposes is the payment of any amounts owed by said school districts, which indebtedness was incurred in carrying out any of such purposes."

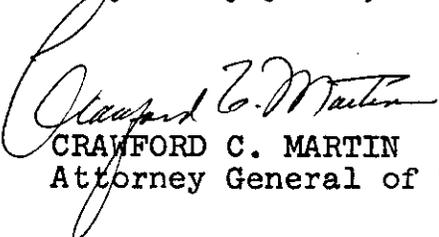
The above-quoted section is the only portion of Article 2786e specifying the purpose for which time warrants may be issued. While it authorizes the issuance of time warrants to purchase "school buildings and school equipment", it neither expressly or impliedly authorizes the issuing of such warrants for the purpose of purchasing unimproved land upon which school buildings or school equipment is to be erected at some future date.

We therefore hold that a school district would not be authorized to issue time warrants, pursuant to Article 2786e, for the purpose of purchasing land only.

S U M M A R Y

Article 2786e, Vernon's Civil Statutes does not authorize a school district to issue time warrants for the purpose of purchasing land only.

Very truly yours,



CRAWFORD C. MARTIN  
Attorney General of Texas

Prepared by Roy W. Mouer  
Assistant Attorney General

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APPROVED:  
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