



The Attorney General of Texas

October 6, 1978

JOHN L. HILL
Attorney General

RA- 1925

Supreme Court Building
P.O. Box 12548
Austin, TX. 78711
512/475-2501

Honorable Joe Resweber
Harris County Attorney
1001 Preston
Houston, Texas 77002

Opinion No. H- 1253

Re: Payment of tuition for
county jail inmates attending
classes while incarcerated.

701 Commerce, Suite 200
Dallas, TX. 75202
214/742-8944

Dear Mr. Resweber:

You have submitted the following question for an opinion from this office:

Is Harris County required to pay tuition to Houston Community College System for inmates that are incarcerated in the Harris County Jail and who are enrolled in the Houston Community College?

4824 Alberta Ave., Suite 160
El Paso, TX. 79905
915/533-3484

723 Main, Suite 610
Houston, TX. 77002
713/228-0701

We have found no authority which obligates the county to pay the tuition fees of the county jail inmates. Such an expenditure is not required under the county's duty to provide a safe and suitable jail. V.T.C.S. art. 5115. We do not address the question of whether the county has discretion to pay tuition fees of jail inmates. See generally V.T.C.S. art. 5115.1, § 9(a)(4). Educ. Code § 29.01ff; Attorney General Opinion H-652 (1975).

806 Broadway, Suite 312
Lubbock, TX. 79401
806/747-5238

4313 N. Tenth, Suite F
McAllen, TX. 78501
512/682-4547

S U M M A R Y

Harris County is not required to pay tuition fees of county jail inmates.

200 Main Plaza, Suite 400
San Antonio, TX. 78205
512/225-4181

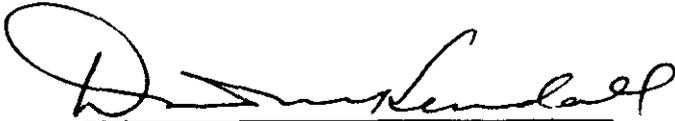
Very truly yours,

An Equal Opportunity
Affirmative Action Employer

John L. Hill

JOHN L. HILL
Attorney General of Texas

APPROVED:


DAVID M. KENDALL, First Assistant


C. ROBERT HEATH, Chairman
Opinion Committee

jsn