



JUL 16

Office of the Criminal District Attorney
Wichita County, Texas

RO-585

July 12, 1993

MBJ

Mr. Dan Morales
Attorney General of the State of Texas
209 West 14th Street
Austin, TX 78701
Attn.: Opinion Committee

FILE # ~~_____~~

I.D.# 21270

Re: Request for Attorney General's Opinion

Dear Mr. Morales:

Mr. Bill Hudson, a member of the State Board of Education representing District 14, contacted me and requested that I seek your opinion regarding the following question:

May the State Board of Education enact a regulation to withhold funds from a school district's share of the available school fund in order to satisfy that district's debt to the Texas School for the Deaf or the School for the Blind or Visually Impaired?

Although there is no clear authority resolving this issue, it appears that the State Board of Education may not enact a regulation to withhold funds from a school district's available school fund payments. In light of the lack of pertinent legal authority, I respectfully request your opinion on this issue. My brief on the matter is attached. Your prompt reply on this issue will be appreciated.

Sincerely,

Barry L Macha

Barry L. Macha
Criminal District Attorney
Wichita County, Texas

Enclosure