

TEXAS HOUSE OF REPRESENTATIVES

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OPINION COMMITTEE



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August 3, 2010

The Honorable Greg Abbott
Office of the Attorney General
P.O. Box 12548
Austin, TX 78711-2548

FILE # ML-46546-10
I.D. # 46546
RQ-0906-BA

Dear Attorney General Abbott:

Hidalgo County Commissioner Precinct 1 resigned an unexpired term on March 9, 2010. That resignation fell after the March 2, 2010 Primary but before the August 20, 2010 deadline to finalize the November General Election ballot. Under the Texas Election Code Title 12 Chapter 202, the Hidalgo County Democratic Party held a meeting by precinct chairs on May 20, 2010 where they selected a candidate to be placed on the November General Election ballot.

On August 3, 2010 interim Hidalgo County Judge Rene Ramirez called for a special election to fill the Hidalgo County Commissioner Precinct 1 seat.

The request for opinion we are seeking from the Attorney General is:

Is it unlawful for Hidalgo County to have a special election to fill the unexpired term for Hidalgo County Commissioner Precinct 1 as called for by interim county judge Rene Ramirez?

Thank you for your assistance. Please call my office if you have any questions or comments.

Sincerely,

A handwritten signature in cursive script that reads "Aaron Peña, Jr.".

Aaron Peña, Jr.
State Representative

