

RQ-0049-JC



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MAR 26 1999

ATTORNEY GENERAL'S OFFICE
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Texas Senate Committee on Human Services

76th Legislature

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March 24, 1999

Senator Judith Zaffirini
Chair
Senator John Carona
Vice-Chair
Senator David Bernsen
Senator Mario Gallegos
Senator Chris Harris

The Honorable
John Cornyn
Attorney General of Texas
P.O. Box 12548
Austin, Texas 78711-2548

FILE # ML-40746-99

ID # 40746

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Opinion Committee

Dear General Cornyn:

This is to request an opinion pursuant to Sec. 402.042, Texas Government Code, regarding whether the Texas Department of Protective and Regulatory Services (PRS) may rescind a non-expiring waiver it granted to Ms. Lillie Beasley in 1990 that allowed her to continue to operate a child care facility. PRS rescinded that waiver and revoked Ms. Beasley's license on March 5, citing changes in the law regarding consideration of her single criminal conviction 30 years ago.

The statute to be interpreted is Section 42.072 (a), Human Resources Code, governing the revocation of a child care license. Enclosed is background information provided by Ms. Beasley.

Your time and attention to this important matter are appreciated greatly.

May God bless you.

Very truly yours,

Judith Zaffirini

JZ/jkw

Enc.: Background information

XC: Lillie Beasley