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OPEN RECORDS DIVISION

House of Representatives
Committee on Elections

DEBRA DANBURG

CHAIR

August 5, 1999

P.O. BOX 2910
AUSTIN, TEXAS 78768-2910
(512) 463-0772

FILE # ML-40930-99
I.D. # 40930

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

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Re: Opinion Request

RQ-0096-JC

Opinion Committee

Dear General Cornyn:

As Chair of the House Committee on Elections, I am writing to request an Attorney General opinion regarding whether or not a non-elected "ad hoc" group must comply with the "Open Meetings Laws."

With the expansion of "open meetings" laws, does a non-elected "ad hoc" group need to comply with posting requirements and Open Meetings Laws requirements if it is essentially an intergovernmental working group? In the specific case in point, the "ad hoc" group consists of one non-elected designee appointed by the county commissioners court, one non-elected designee appointed by the school district, and one non-elected designee appointed by the municipality.

The purposes of the meetings are to confer with private legal counsel hired by each governmental body regarding the sales and foreclosures of tax judgements on delinquencies within their overlapping jurisdictions. Elected officials may attend, but are not part of the official working group. Rather, the attendees are designated employees from each of the three political subdivisions, and their lawyers.

If it is your opinion that compliance is required, where would be the appropriate location for posting of such attorney/client meetings?

Your response to this opinion request will be greatly appreciated. If you need additional information, please contact Philip Cheatham of my staff at 463-0504. Thank you in advance for your assistance in this matter.

Sincerely,

Debra Danburg
State Representative

DD/pwc

Jesse Jones, Vice Chair

Kip Averitt Mary Denny Pete Gallego
Sherri Greenberg Terri Hodge Jerry Madden D.R. (Tom) Uher
Chief Committee Clerk, Paul S. Harris.