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MAR 09 2000
OPINION COMMITTEE

The Senate of Texas

Capital Office
P.O. Box 12068
Austin, Texas 78711
512/463-0121
Telefax 512/475-3738
TDD 1-800-735-2989

Judith Zaffirini
State Senator, District 21
President Pro Tempore
1997

District Office
P.O. Box 627
Laredo, Texas 78042-0627
956/722-2293
Telefax 956/722-8586

March 3, 2000

1391

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

Office of the Attorney General
Executive Administration (001)
P.O. Box 12548
Austin, TX 78711

RQ-0202-JC
FILE # ML-41314-00
I.D. # 41314

MAR 09 2000

Dear General Cornyn:

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This is to request an opinion pursuant to Section 402.042, Government Code, regarding the provision of assistance to the Randolph Metrocom Chamber of Commerce regarding the procedure for separation from an existing college district.

FACTS

The Randolph Metrocom Chamber of Commerce has appointed a committee to investigate higher education options in the Greater Randolph Area (Northeast Bexar County). One of the options being studied is the separation from the Alamo Community College District and the creation of a new community college district. The Chamber sought the assistance of the Texas Higher Education Coordinating Board. The HECB told the chamber that the Texas Administrative Code does not contain provisions governing the separation of an entity from an existing college district. The Chamber requests the assistance of the Attorney General's Office in determining the procedural requirements for separation from an existing college district.

QUESTIONS

Please provide an opinion regarding the following questions:

1. What procedural steps are required for a geographic entity to separate from an existing community college district?

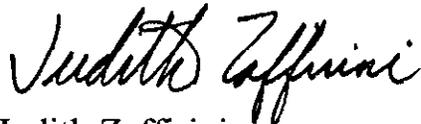
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2. May a portion of a county separate? In the most likely scenario, three school districts would form the newly proposed community college district. Is it possible for school districts to break away?
3. Assuming a break-away is possible, what portion of the existing community college district's debt will the residents of the new district have responsibility?

I look forward to receiving your response to this request. Feel free to contact me if I can provide additional information.

May God bless you.

Very truly yours,



Judith Zaffirini

JZ/pk

XC: Mike Castro, chair, Northeast College Steering Committee
Gordon Dunkley, executive director, Randolph Metrocom Chamber of
Commerce