



Texas House of Representatives

Committees:
Land & Resource
Management
Chair
Natural Resources

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June 30, 2000

OPINION COMMITTEE

I.D. # 41501

The Honorable John Cornyn
Attorney General of Texas
P.O. Box 12548
Austin, TX 78711
Attn: Ms. Elizabeth Robinson

RQ-0253-jc

RE: REQUEST FOR ATTORNEY GENERAL'S OPINION REGARDING THE EXEMPTION GRANTED IN SECTION 51.003A(C)2 OF THE LABOR CODE AND RULE 817.24 AS PROMULGATED BY THE TEXAS WORKFORCE COMMISSION.

Dear Attorney General Cornyn:

As the State Representative for Reeves County and Chairman of the House Committee on Land and Resource Management, I have been asked to see the opinion of your office in regards to interpretation of Section 51.003a(C)2 and Rule 817.24 as adopted by the Texas Workforce Commission.

The interested party asserts that the exemption granted for newspaper carriers in Sec. 51.003a(C)2 should apply to the entire scope of the traditional work of a paperboy, including route maintenance by soliciting of new subscribers on his or her route and "crewing." Furthermore, he questions whether Rule 817.24 is an improper interpretation of Section 51.014(d)2, Texas Labor Code, and asserts that a more proper interpretation would require employers to use the proper form, and keep the signed form on file, not send it to the Commission as currently required.

I have attached the letter of request forwarded from the constituent for your reference. If you have any questions or need further clarification, please do not hesitate to contact me.

Sincerely,

Gary L. Walker

Gary L. Walker
State Representative