



Jim Solis - Chair
Yvonne Barton - Committee Clerk
Capitol Extension, E2.148
512/463-0794

COMMITTEE ON ECONOMIC DEVELOPMENT
TEXAS HOUSE OF REPRESENTATIVES

P.O. Box 2910
Austin, Texas 78768-2910
Fax: 512/463-1077

November 7, 2001

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OPINION COMMITTEE

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

FILE # ML-42280-01

Dear Attorney General Cornyn:

I.D. # 42280

I have been asked to request your opinion on the following issue:

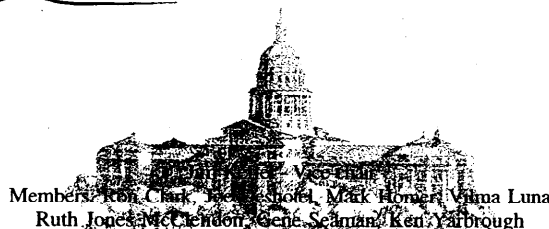
Since Section 4B(2) (A) lacks reference to job creation, expansion, retention, promotion of business and commerce, etc., and since such references are evident in similar sections, e.g., in Section 2(11)(A), Section 3 and Section 4B(2)(B), may it be presumed that projects may be undertaken under Section 4B(2)(A) without consideration of some predictable positive economic impact?

As a matter of background the following information has been provided to my office. The Board of Directors of the Gun Barrel City Economic Development Corporation (EDC) needs clarification on the EDC's project funding authority under Section 4B(2)(A), Article 5190.6, V.T.C.S. The situation motivating this question is a desire in Gun Barrel City to utilize Section 4B tax revenues to construct a youth league football field at the city park. This structure would be an asset to the community. However, there is no discernable economic advantage associated with the project.

I hope this background information is helpful to your office as it conducts its research on this request. If you have any questions, please feel free to contact my office. Thank you for your time and consideration for this request.

Sincerely,

Jim Solis
Chairman



Members: Ron Clark, Joe Spitzer, Mark Herring, Vilma Luna
Ruth Jones, McClendon, Gene Scamman, Ken Yarbrough