



Michael A. Stafford
Harris County Attorney

January 11, 2002

RQ-0491-JC

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CM/RRR

Honorable John Cornyn
Attorney General of Texas
Supreme Court Building
P.O. Box 12548

OPINION COMMITTEE

Austin, Texas 78711-2548

FILE # ML-42364-02
I.D. # 42364

Attention: Opinion Committee

- Re:
1. May a County Commissioners Court require a prospective vendor to present a statement disclosing business and employment relationships with the County where the contract to be awarded is required to be bid?
 2. May a County Commissioners Court require a prospective vendor to present a statement disclosing business and employment relationships with the County where the contract to be awarded is not required to be bid or to be awarded under the Professional Procurement Act?
 3. May a County Commissioners Court require a prospective vendor to present a statement disclosing business and employment relationships with the County where the contract to be awarded is to be awarded under the Professional Procurement Act?

Dear Sir:

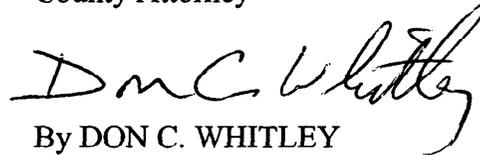
The Harris County Judge has asked this office to prepare an order for adoption by commissioners court requiring disclosure by vendors doing business with the county of compensation paid to or business relationships with employees of the County. The judge proposed a similar requirement for the Harris County Flood Control District, of which the commissioners court is the governing body, and, to the extent possible, for other entities for which the County

appoints a governing board. This office has prepared a draft order, attached hereto for your reference, in response to such request. The order would be mandatory only for the county, the flood control district, and the hospital district (pursuant to the court's authority to prescribe purchasing procedures for the district as explained in the order's recitals). The order only expresses the desire of the court in regard to the other entities.

One of the County commissioners has pointed out that no statute expressly authorizes the commissioners court to make such a requirement, unlike in the case of the Harris County -Houston Sports Authority, which is so authorized by requirements of TEX. LOC. GOV'T CODE ANN. §335.107(c). To resolve this issue, we are asking that your office please furnish us with your opinion on the questions presented. A Memorandum Brief is enclosed.

Sincerely,

MIKE STAFFORD
County Attorney



By DON C. WHITLEY
Assistant County Attorney

Approved:



JOHN R. BARNHILL
First Assistant County Attorney

MS:DCW