

SENATOR JEFF WENTWOR

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**The Senate of
The State of Texas**

August 14, 2002

COMMITTEES

Chairman, Redistricting
Jurisprudence
Nominations

**COUNTIES IN
SENATE DISTRICT 25**

Bandera	Llano (part)
Bexar (part)	Mason
Blanco	Medina (part)
Comal (part)	Schleicher
Gillespie	Sutton (part)
Guadalupe (part)	Tom Green (part)
Kendall	Travis (part)
Kerr	Williamson (part)
Kimble	

RQ-0589-JC

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AUG 21 2002

OPINION COMMITTEE

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

FILE # ML-42752-02

I.D. # 42752

Re: Does Article VIII, Section 7-a of the Texas Constitution prohibit the levy of a motor vehicle registration fee for the purpose of funding trauma centers?

Dear General Cornyn:

The purpose of this letter is to request an opinion on whether Article VIII, Section 7-a of the Texas Constitution prohibits the levy of a motor vehicle registration fee for the purpose of funding trauma centers.

Article VIII, Section 7-a of the Texas Constitution provides, in part:

Subject to legislative appropriation, allocation and direction, all net revenues remaining after payment of all refunds allowed by law and expenses of collection derived from motor vehicle registration fees, and all taxes, except gross production and ad valorem taxes, on motor fuels and lubricants used to propel motor vehicles over public roadways, shall be used for the sole purpose of acquiring rights-of-way, constructing, maintaining, and policing such public roadways, and for the administration of such laws as may be prescribed by the Legislature pertaining to the supervision of



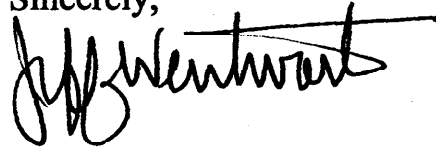
The Honorable John Cornyn
August 14, 2002
Page Two

traffic and safety on such roads; and for the payment of the principal and interest on county and road district bonds or warrants voted or issued prior to January 2, 1939, and declared eligible prior to January 2, 1945, for payment out of the County and Road District Highway Fund under existing law; ...

Because there exists a great need for increased funding for trauma care centers around the state, I believe the Legislature will be looking at every possible funding mechanism during 2003. Therefore, it is important to determine whether the use of motor vehicle registration fees to fund trauma care would be constitutional.

I respectfully request an opinion on this issue.

Sincerely,

A handwritten signature in black ink, appearing to read "Jeff Wentworth", with a long horizontal flourish extending to the right.

Jeff Wentworth

JW/ml