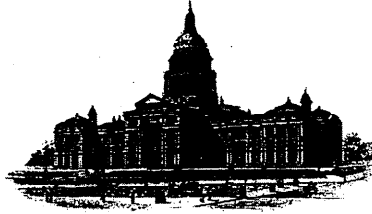


The Senate of The State of Texas



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APR 24 2003

OPINION COMMITTEE

TROY FRASER

April 24, 2003

FILE # ML-43071-03
I.D. # 43071

The Honorable Greg Abbott
Attorney General
209 West 14th Street
Austin, Texas 78711

RQ-0046-GA

Dear General Abbott,

As chairman of the Senate Committee on Business and Commerce, I request your opinion regarding an issue relating to a river authority and its ability to enter into a contract with its General Manager or Executive Director.

First, does a river authority fall under the definition of "state agency" as defined in Section 572.002, Texas Government Code? Second, and more specifically, if the definition of a state agency assigned in Section 572.002, Texas Government Code does apply to a river authority, are they required to comply with Section 669.003, Texas Government Code, which states that a state agency may not enter into an agreement unless it has notified the Legislative Budget Board, "...not later than the fifth day before the date of the vote..."?

Because this matter is time sensitive, I respectfully request an opinion on this issue at the earliest possible date. I appreciate your attention to this matter. If you should have any questions, please call my office at (512) 463-0124.

Sincerely,

A handwritten signature in black ink that reads "Troy Fraser".

Troy Fraser
State Senator

TF/dw

