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DEC 14 2011

OPINION COMMITTEE

TEXAS HOUSE OF REPRESENTATIVES

SID MILLER

DISTRICT 59

FILE # ML-46904-11
I.D. # 46904

December 13, 2011

Office of the Attorney General
Attn: Jason Boatwright
209 West 14th Street
PO BOX 12548
Austin, Texas 78711-2548

RQ-1028-GA

Dear Office of the Attorney General:

A question has been raised requiring a legal opinion and I respectfully request such from your office. Please advise whether a Type A General-Law Municipality could, if they so choose, enact an ordinance setting a 300 foot Alcohol Free School Zone, and/or a 1000 foot zone if the local board of trustees request such, that would also prohibit the sale of beer and wine from an "off premises consumption" business such as a convenience store. For your resource, I have also included the original correspondence my office received regarding this question.

If my staff or I may provide further details, please do not hesitate to contact my office.

Regards,

A handwritten signature in cursive script that reads "Sid Miller".

Representative Sid Miller, Chairman
Committee on Homeland Security and Public Safety

enclosure

CC: Frank Craig