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August 23, 2000

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

RECEIVED  
AUG 24 2000  
OPINION COMMITTEE

RQ-0274-JC  
FILE # ML-41589-00  
I.D. # 41589

Re: Open Meetings Opinion Request

Dear General Cornyn:

In March of this year we received a request to determine whether the Bryan-College Station Economic Development Corporation is subject to the Open Meetings Act, Government Code chapter 551.

The Economic Development Corporation (EDC) was incorporated in 1989 pursuant to the Texas Non-Profit Corporation Act for the purpose of marketing the Bryan-College Station-Brazos County area, with a focus on recruiting non-retail businesses. The Board of Directors is appointed by the respective city councils and county commissioners court, with one elected official from each of these entities. Funding for operations comes from Brazos County, College Station, Bryan, and the Brazos County Industrial Foundation as well as from private donations through a Development Fund. Copies of the Articles of Incorporation and By-laws are enclosed.

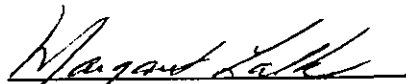
The EDC has no rule-making or quasijudicial authority, nor does it have any governmental powers. The corporation contracts with the cities and the county to market and promote the area; the corporation's proposed budget must be approved annually by the cities and county. Copies of contracts are enclosed.

In accordance with previous Attorney General Opinions, particularly Letter Opinion 93-55 and Letter Opinion 94-090, it is our belief that the Bryan-College Station Economic Development Corporation is not subject to the requirements of the Open Meetings Act.

Your written opinion addressing this matter would be greatly appreciated.

Respectfully,

BILL R. TURNER  
District Attorney

By:   
Margaret Lalk  
Assistant District Attorney

xc: Mr. Robert Malaise