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OPINION COMMITTEE



SHAREN WILSON
Criminal District Attorney
Tarrant County

FILE # M1-47692-15
I.D. # 47692

RQ-0008-KP

January 29, 2015

Honorable Ken Paxton
Office of the Texas Attorney General
Attention: Opinion Committee
P.O. Box 12548
Austin, Texas 78711-2548

By Certified Mail, Return Receipt Requested

Re: Request for Opinion regarding
TEX. HEALTH & SAFETY CODE § 281.0565

Dear General Paxton:

I respectfully request your opinion regarding the following issues posed by one of the members of the Tarrant County Commissioners Court:

1. According to Section 281.0565 of the Texas Health & Safety Code, does the Tarrant County Hospital District have the legal permission (power or authority) to create a charitable organization to facilitate the management of a district health care service and fund it with tax-payers revenue?
2. According to Section 281.0565 of the Texas Health & Safety Code, does the Tarrant County Hospital District have the legal permission (power or authority) to create a charitable organization to facilitate the management of a district health care service, fund it with tax-payers revenue, and transfer 50% or any portion of the Corporation's managerial and oversight authority to a third-party entity, who isn't elected by the voters of Tarrant County or appointed by the Board of Managers of the Tarrant

County Hospital District or appointed by the Commissioners Court of Tarrant County?

3. Are charitable organizations formed pursuant to the authority granted by the Texas legislature in Section 281.0565 subject to the Texas Open Meeting Act and the Texas Open Record Act?

Respectfully submitted,



SHAREN WILSON
CRIMINAL DISTRICT ATTORNEY
TARRANT COUNTY, TEXAS

cc: Hon. Andy Nguyen
Tarrant County Commissioner, Precinct 2