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OPINION COMMITTEE

The State of Texas
House of Representatives
Austin, Texas

John Smithee
State Representative
District 86
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February 1, 2006

Committees:
Insurance
Chairman
Ways & Means

FILE # ML-44607-06
I.D. # 44607

The Honorable Greg Abbott
Attorney General
State of Texas
PO Box 12548
Austin, TX 78711-7548

RQ-0443-GA

Re: Request for Opinion

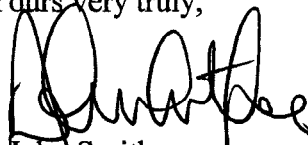
Dear General Abbott:

Article VIII, Section 1-b(h) of the Texas Constitution, adopted in 2003, authorizes "a county, a city or town, or a junior college district" to freeze the total amount of ad valorem taxes imposed on the homesteads of persons with disabilities or persons sixty-five years of age or older.

I would request an Attorney General's opinion as to the following question: May the county commissioners' court, by resolution and vote, call an election of the voters to approve or disapprove such a tax freeze without having first been petitioned to do so by the voters of the county?

Thank you for your prompt consideration of this request. Please let me know if you have any questions or require additional information.

Yours very truly,


John Smithee