

THE ATTORNEY GENERAL

The *Texas Register* publishes summaries of the following: Requests for Opinions, Opinions, and Open Records Decisions.

An index to the full text of these documents is available on the Attorney General's website at <https://www.texas.attorneygeneral.gov/attorney-general-opinions>. For information about pending requests for opinions, telephone (512) 463-2110.

An Attorney General Opinion is a written interpretation of existing law. The Attorney General writes opinions as part of his responsibility to act as legal counsel for the State of Texas. Opinions are written only at the request of certain state officials. The Texas Government Code indicates to whom the Attorney General may provide a legal opinion. He may not write legal opinions for private individuals or for any officials other than those specified by statute. (Listing of authorized requestors: <https://www.texasattorneygeneral.gov/attorney-general-opinions>.)

Requests for Opinions

RQ-0006-AC

Requestor:

The Honorable Robert C. Lassmann

24th Judicial District Attorney

127 North Courthouse Square

Goliad, Texas 77963

Re: Whether Government Code section 41.106 requires the counties of a multi-county judicial district to equitably share funding responsibility of the district attorney's office (RQ-0006-AC)

Briefs requested by October 2, 2023

For further information, please access the website at www.texasattorneygeneral.gov or call the Opinion Committee at (512) 463-2110.

TRD-202303243

Austin Kinghorn

General Counsel

Office of the Attorney General

Filed: September 5, 2023



Opinions

Opinion No. AC-0004

The Honorable Heather Stebbins

Kerr County Attorney

700 Main Street, Suite BA-103

Kerrville, Texas 78028

Re: Questions relating to the respective responsibilities of a county sheriff's office and the Texas Department of Criminal Justice regarding the detention and transportation of offenders to state jail facilities (RQ-0501-KP)

S U M M A R Y

The Texas Department of Criminal Justice (TDCJ) may not require a county sheriff to transport inmates to a substance abuse felony punishment facility or an intermediate sanction facility, nor may it refuse to reimburse a county for transporting an inmate to a state jail division facility. A county must generally utilize its normal procedures for collecting on a debt owed to the county if TDCJ refuses to reimburse the county for inmate transport.

Pursuant to House Bill 2620 from the Eighty-eighth regular legislative session, the failure of TDCJ to take custody of an inmate within forty-five days as required by law results in statutory compensation to the county by TDCJ for any extended period of detention. Extended periods of detention, however, are not expressly authorized under the law.

For further information, please access the website at www.texasattorneygeneral.gov or call the Opinion Committee at (512) 463-2110.

TRD-202303242

Austin Kinghorn

General Counsel

Office of the Attorney General

Filed: September 5, 2023

