



**THE ATTORNEY GENERAL  
OF TEXAS**

**AUSTIN, TEXAS 78711**

**JOHN L. HILL  
ATTORNEY GENERAL**

September 14, 1976

The Honorable William R. Knight, Jr.  
Secretary  
Texas State Board of Dental Examiners  
718 Southwest Tower  
7th and Brazos Streets  
Austin, Texas 78701

Opinion No. H-877

Re: Whether a member  
of the Dental Laboratory  
Advisory Board  
is required to be a  
resident of the State  
of Texas.

Dear Dr. Knight:

You have asked if an individual may continue to serve as a member of the Dental Laboratory Advisory Board if he no longer resides in Texas. You advise that one member of the Board is moving his residence to the State of Colorado. We assume, without deciding, that the individual is in fact a resident of Colorado.

Article 16, section 14 of the Texas Constitution provides:

All civil officers shall reside within the State; and all district or county officers within their districts or counties, and shall keep their offices at such places as may be required by law; and failure to comply with this condition shall vacate the office so held.

The Dental Laboratory Advisory Board is created in section 6(b) of article 4551f, V.T.C.S. Its members are clearly civil officers. Letter Advisory No. 63 (1973).

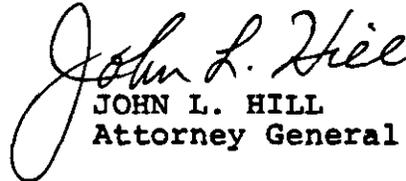
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Accordingly, under the clear terms of the constitution a member of the Dental Laboratory Advisory Board who removes his residence outside of Texas vacates his office. See Prince v. Inman, 280 S.W.2d 779 (Tex. Civ. App. -- Beaumont 1955, no writ). Cf. Whitmarsh v. Buckley, 324 S.W.2d 298 (Tex. Civ. App. -- Houston 1959, no writ); Lamb v. State, 267 S.W.2d 285 (Tex. Civ. App. -- San Antonio 1954, no writ).

S U M M A R Y

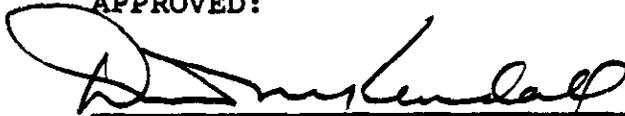
A member of the Dental Laboratory Advisory Board vacates his office when he removes his residence outside the State of Texas.

Very truly yours,



JOHN L. HILL  
Attorney General of Texas

APPROVED:



DAVID M. KENDALL, First Assistant



C. ROBERT HEATH, Chairman  
Opinion Committee

jwb