



**THE ATTORNEY GENERAL
OF TEXAS**

**JIM MATTOX
ATTORNEY GENERAL**

August 30, 1990

Mr. John Paul Batiste
Executive Director
Texas Commission on the Arts
Box 13406, Capitol Station
Austin, Texas 78711-3406

LO-90-58

Dear Mr. Batiste:

You ask whether a non-profit organization that is funded by the Texas Commission on the Arts is subject to the Open Meetings Act, article 6252-17, V.T.C.S. The Commission on the Arts is governed by Chapter 444 of the Government Code. The authority of the commission in regard to grants is set out in section 444.024:

(a) An applicant for a grant of money from the commission shall specify in the grant application for a minimum and maximum amount of money requested.

(b) Before making a grant of money, the commission shall submit the grant application to a panel of commission consultants for its recommendations. The panel shall include in its recommendations its determination of the reasonable of the proposed amounts of funding.

(c) Grants of money shall be made without regard to the race, creed, sex, religion, or national origin of the applicant.

See also 13 T.A.C. § 31.10 (grant application form).

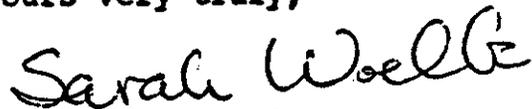
The Open Meetings Act requires that most meetings of governmental bodies be open to the public. V.T.C.S. art. 6252-17, § 2(a). Section 1(c) sets out the definition of "governmental body" for purposes of the act:

'Governmental body' means any board, commission, department, committee, or agency within the executive or legislative

department of the state, which is under the direction of one or more elected or appointed members; and every Commissioners Court and city council in the state, and every deliberative body having rule-making or quasi-judicial power and classified as a department, agency, or political subdivision of a county or city; and the board of trustees of every school district, and every county board of school trustees and county board of education; and the governing board of every special district heretofore or hereafter created by law.

The fact that an organization receives a grant of money from a state agency does not by itself bring it within the Open Meetings Act definition of "governmental body."

Yours very truly,



Sarah Woelk, Chief
Letter Opinion Section
Opinion Committee

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