



Office of the Attorney General  
State of Texas

DAN MORALES  
ATTORNEY GENERAL

April 10, 1997

The Honorable Steven C. Hilbig  
Bexar County Criminal District Attorney  
300 Dolorosa, Suite 5072  
San Antonio, Texas 78205-3030

Letter Opinion No. 97-032

Re: Whether a county may accept gifts of  
personal property on behalf of an alternative  
dispute resolution center (ID# 39473)

Dear Mr. Hilbig:

You have asked this office whether a county may accept gifts of personal property on behalf of an alternative dispute resolution center. We conclude that a county may not do so.

As you explain the relevant facts to us, the Bexar County Dispute Resolution Center (the "Center"), "an arm of Bexar County," has been offered gifts of videotapes, books, and cash, and seeks to know whether it may accept such gifts. "However," as your letter notes, "there is no specific statute that provides that a County or a Dispute Resolution Center may accept gifts of personal property." Accordingly, your office has taken the position that the Center, may not accept such gifts. We concur.

In Letter Opinion No. 88-106, this office considered the question of whether a county could accept donations, and concluded that "it would appear from a consideration of the scheme of statutory provisions in this regard that a county must have specific statutory authorization to accept donations for a particular purpose." Letter Opinion No. 88-106 (1988) at 1. We adhere to that conclusion. Since, as you note, the county does not have specific authority to accept donations of personal property for the Center, it may not do so.

It may be that the legislature will wish to permit such donations for the purpose of maintaining the Center.<sup>1</sup> Such a decision is properly the business of that body.

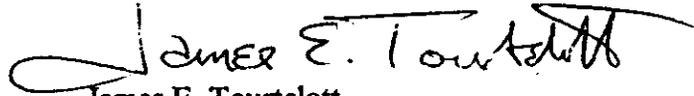
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<sup>1</sup>Alternative dispute resolution systems are established pursuant to chapter 152 of the Civil Practice and Remedies Code. Section 152.004 of the code governs their financing.

S U M M A R Y

The Bexar County Dispute Resolution Center has no statutory authority to accept gifts of personal property, and Bexar County may not accept such gifts for the Center's benefit.

Yours very truly,

A handwritten signature in black ink, reading "James E. Tourtelott". The signature is written in a cursive style with a large, sweeping initial "J".

James E. Tourtelott  
Assistant Attorney General  
Opinion Committee