

REPRESENTATIVE
Allen Ross Hightower



ID# 15358
MBJ

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RQ-348

December 10, 1991

The Honorable Dan Morales
Office of the Attorney General
Price Daniel Sr. Building
Austin, Texas 78701

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Opinion Committee

Dear General Morales:

By receipt of this letter, I would like to request a letter opinion clarifying the following authority of a county fire district board.

1. Can a Fire District Board selectively make appropriations to existing fire departments within their jurisdiction of disproportionate amounts regardless of the performance of such fire department?
2. Does the Fire District Board have the authority to distribute such funds, provided to them by the County Commissioner's Court for fire protection, on a purely selective basis?
3. If a disparity between amounts received from one fire department to another within the same district can be shown, can a fire department appeal the amount received to either the Fire District Board or to the County Commissioner's Court of such district and can such appeal be based on the area such fire department protects and the amount of dollars they generate into that area as a basis be used for such appeal?

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4. What agency, court or board has the ultimate authority to resolve such disputes?

If you need further information regarding this request, please do not hesitate to contact me. I would appreciate your immediate attention to this matter.

Sincerely,



Allen Hightower
State Representative
District 18

AH/jm