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May 18, 1992

The Honorable Dan Morales
Attorney General
P.O. Box 12548
Austin, Texas 78711

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Opinion Committee

Dear General Morales,

As chairman of the Senate Education Committee, I respectfully request an opinion on the following question:

May a Texas public university extend credit at a university bookstore to its students for the purpose of purchasing textbooks and supplies?

Several state universities, including the University of Texas at Arlington, allow students to charge purchases of textbooks and supplies with a valid student identification card. The Texas Constitution, Article III, section 50, prohibits the state from lending credit. The students are billed later in the semester for the charges. A previous opinion, JM-1229 (1990), provided that a lending of credit does not violate the Constitution only if it accomplishes a public purpose and is accompanied by controls that ensure the use of public credit for a public purpose.

I would appreciate your attention to this question.

Sincerely,

Carl A. Parker
Carl Parker

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