



RQ 660

JAN 26 94

OFFICE OF

COUNTY ATTORNEY

Opinion Committee

MBJ

NACOGDOCHES COUNTY

BOX 736

NACOGDOCHES, TEXAS 75961

BRYAN DAVIS
COUNTY ATTORNEY

January 15, 1994

FILE # MC-24286-94

Office of the Attorney General of Texas
Opinion Section
Box 12548, Capitol Station
Austin, Texas 78711-2548

I.D.# 24286

Re: Request for Attorney General's Opinion

Ladies and Gentlemen:

I have been asked by the Nacogdoches City Attorney to seek an Attorney General's opinion on the question of whether a home rule city, such as Nacogdoches, may require in its personnel policy that an employee refrain from seeking or accepting election to any partisan political office unless first granted a leave of absence without pay from the city. The facts of our local case involve a city policeman who has announced for county commissioner. He is still working for the city and does his campaigning on his own time.

I believe it might be of help for you to have a copy of Mr. Atherton's letter to me requesting the opinion, together with a booklet setting forth the personnel policies of the City of Nacogdoches. I am also sending a copy of the city's ordinance involving personnel passed 19 October, 1976, together with two related ordinances and some minutes touching on the subject. If you require or desire any further information, please let me know.

Thank you so much for your help.

Very truly yours,

Bryan Davis
Bryan Davis
County Attorney

BD/BJ
RECORDED
FILED SEP 15 1994