

RQ 785

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DAVID SIBLEY  
STATE SENATOR  
District 22

FEB 28 1995

23ms  
Opinion Committee February 21, 1995

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

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Opinion Committee

STS  
FILE # ML-31994-95  
I.D. # 31994

Dear General Morales:

With the current suits challenging the constitutionality of certain congressional, State House of Representatives and State Senate districts, there are a few questions on which I would like to have your opinion. Are there any circumstances in which changes in senate districts do not constitute an "apportionment" of the senate requiring election of a new Senate at the next general election under Section 3, Article III, Texas Constitution? In particular:

1. If the legislature makes changes to only two of the thirty-one senate districts, will the bill be considered as a general apportionment which would necessitate the election of a new senate at the next election?
2. If the legislature makes changes to more than two but not all of the current senate districts, would the changes necessitate the election of the whole new senate or only the senate districts with changes?
3. Does the extent of the changes to senate districts affect the answer to the preceding questions?

Since the Legislature is in session, and possible legislative changes might be considered, please expedite the opinion as soon as possible. Thank you for your attention to this important opinion request, and please contact me if I can provide any further information.

Sincerely,

  
David Sibley

