

RQ-1072

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November 10, 1997

The Honorable Dan Morales
Attorney General, State of Texas
209 West Fourteenth Street
Austin, Texas 78701

FILE # ML-40021-98 Opinion Committee
I.D. # 40021

(b)(3)

Dear Mr. Morales,

I am requesting an Attorney General's opinion regarding restoration of civil rights for an individual convicted of a felony offense. The Code of Criminal Procedure, Section 48.05 (b)(3) states an "individual has not been convicted at any other time of an offense under the laws of the state, another state, or the United States."

I would appreciate a clarification of the term "offense" as it applies to Section 48.05 (b)(3), Code of Criminal Procedure. Specifically, under this code does "offense" apply to misdemeanors. I appreciate your attention to this matter and look forward to your reply.

Sincerely,


Al Edwards