

RL
JAN 17 - 2016
OPINION COMMITTEE

Upshur County Auditor

P.O. Box 730
Gilmer, TX 75644
(903) 843-4001
(903) 843-4818 fax



Brandy Lee
County Auditor

Linda Sikes
Assistant Auditor

Greg Dodson
Assistant Auditor

January 26, 2016

VIA EMAIL TO:
opinion.committee@texasattorneygeneral.gov

Office of the Attorney General
Attention Opinion Committee
P.O. Box 12548
Austin, Texas 78711-2548

FILE # ML-47944-16

I.D. # 47944

RQ-0093-KP

Re: Request for Attorney General opinion regarding authority of County to participate in the Rotary Club's Flag Project

Dear Attorney General:

Upshur County is inquiring whether it is legal to contribute money to the Rotary Club Flag Project.

The Rotary Club in Upshur County conducts an ongoing fundraiser by recruiting area businesses to contribute funds, and in return, American flags are placed in front of their businesses on holidays.

The Rotary Club uses the money raised from the Flag Project to fund things such as scholarships for area students. The County is billed \$20-\$27 per flag each holiday. There are approximately 60 flags put on display each holiday. The County has participated in the Flag Project for many years. Recently, the question arose of whether this was a legal use of public funds.

We are aware of previously issued opinions that prohibit counties from donating money to various civic organizations. However, I have been approached from current and previous commissioner's court members and their opinion is that this is a different situation because the county is getting a service in return.

Please advise whether it is a legal use of public funds to contribute to the Rotary Club's Flag Project.

Sincerely,

Handwritten signature of Brandy Lee in cursive script.

Brandy Lee
County Auditor