



(Copy) # 10-3

**THE ATTORNEY GENERAL
OF TEXAS**

**JIM MATTOX
ATTORNEY GENERAL**

January 8, 1987

Honorable Gibson D. Lewis, Speaker
Texas House of Representatives
P. O. Box 2910
Austin, Texas 78769

Dear Speaker Lewis:

In response to your letter of November 5, 1987, requesting clarification of the above referenced opinion, please be advised that we have given a great deal of consideration to the matter, relying to a large extent both upon the oral presentation made to us by Speed Fab-Crete and the letters received from various school districts.

In Attorney General Opinion JM-800, we assumed certain facts submitted to us by the requestor, which facts related solely to the construction of the Rains County jail building. If the facts assumed therein do not comport with those in a different situation, e.g., the construction of school buildings by Speed Fab-Crete or another manufacturer, our conclusion as to the latter method of construction would not necessarily be the same as our conclusion in Opinion JM-800.

We cannot determine questions of disputed fact in the opinion process. Based on the material presented to us, however, regarding the Speed Fab-Crete method of construction, we do not necessarily feel that the conclusions expressed in Opinion JM-800 should dissuade any potential customer of Speed Fab-Crete from utilizing its method of construction.

Very truly yours

Rick Gilpin, Chairman
Opinion Committee

RG/mw