

TEXAS HOUSE OF REPRESENTATIVES



ERIC JOHNSON

DISTRICT 100 • DALLAS COUNTY

November 21, 2018

Rod Welsh
Executive Director
Texas State Preservation Board
201 East 14th Street, Suite 950
Austin, Texas 78701

VIA EMAIL

Re: Building Change Request Form Dated October 23, 2017 by Eric Johnson and Attorney General Opinion No. KP-0224 dated November 21, 2018 by Ken Paxton

Dear Mr. Welsh:

In light of Texas Attorney General Ken Paxton's opinion dated November 21, 2018 (Opinion No. KP-0224), this missive serves to inform you that the Building Change Request that I submitted on October 23, 2017 requesting the removal of the "Children of the Confederacy Creed" plaque from inside the Texas State Capitol is still active, that I have not withdrawn my request, and that I am still seeking the immediate removal of said plaque by the Curator of the Texas Capitol, as Mr. Paxton's opinion makes clear that such removal is clearly within her discretion.

According to the plain language of Opinion No. KP-0224, the Curator of the Texas Capitol has the discretion to remove the plaque:

*"Thus, a legislator seeking a change regarding the plaque must complete a change request form and submit it to the office of the Board. The discretion to approve the change **thereafter lies with the curator** or the Board, if the Board chooses to become involved."* (Opinion No. KP-0224, page 4, emphasis added)



Given that we now have clear direction from the Attorney General that the Curator has the discretion to remove the plaque, I am reiterating my request that the Curator of the Texas Capitol immediately approve my request from October 23, 2017 and remove the plaque from the Texas Capitol as soon as possible.

Sincerely,

A handwritten signature in black ink, appearing to read 'E. Johnson', with a long horizontal stroke extending to the right.

Eric Johnson

Cc: Ali James, Curator of the Texas Capitol