



OFFICE OF THE ATTORNEY GENERAL OF TEXAS  
AUSTIN

GERALD C. MANN  
ATTORNEY GENERAL

Honorable Grady Roberts, Chairman  
Conservation and Reclamation Committee  
House of Representatives  
Austin, Texas

Dear Sir:

Opinion No. 0-3427  
Re: Constitutionality of House  
Bill No. 589, Forty-Seventh  
Legislature.

In your letter of April 17, 1941, you request our opinion as to the constitutionality of House Bill No. 589, Forty-Seventh Legislature, now pending. This bill, if enacted, would grant to the Newton County Flood Control District of Newton County, Texas, all of the State ad valorem taxes collected in Newton County for general revenue purposes for a period of ten years.

Your attention is directed to the fact that the caption of this bill does not disclose that the period of the grant is limited to ten years. Before action is taken on this legislation the caption should be corrected accordingly.

A reading of the proposed Act clearly shows that your question is controlled by the case of Harris County Flood Control District vs. Mann, 140 S. W. (2d) 1089 by the Supreme Court. Upon correction of the caption as above suggested it is our opinion that said House Bill No. 589 would be a constitutional and valid enactment, subject, of course, to the passage of the Act creating the said Newton County Flood Control District.

Yours very truly

ATTORNEY GENERAL OF TEXAS

APPROVED APR 21, 1941

By

Glenn R. Lewis  
Assistant

*acting*  
James P. Hart  
ATTORNEY GENERAL OF TEXAS  
GRL:ef

