



**THE ATTORNEY GENERAL  
OF TEXAS**

**AUSTIN, TEXAS 78711**

**CRAWFORD C. MARTIN  
ATTORNEY GENERAL**

July 30, 1969

Honorable Martin Dies, Jr.  
Secretary of State  
State of Texas  
State Capitol Building  
Austin, Texas 78711

Opinion No. M-439

Re: May the Secretary of State  
publish and mail at state  
expense a bulletin or news-  
letter for the purpose of  
informing various interested  
offices of changes in the law?

Dear Mr. Dies:

You have requested the opinion of this office as to whether you have authority to publish and mail at state expense a bulletin or newsletter which would set forth changes in various laws of this state.

The powers and duties of public officers of this state are prescribed by the provisions of the Constitution and statutes relating to the particular officer. He may perform only such acts as are consonant with those duties imposed upon him by law. 47 Tex.Jur.2d 138, Public Offices §105.

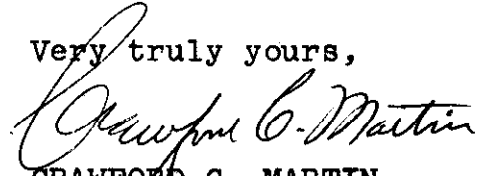
The statutory provisions relating to the duties and powers of the Secretary of State of the State of Texas are too numerous to discuss with any detail. We have carefully reviewed such statutes and do find a number of instances where it is the duty of the Secretary of State to cause to be printed and distributed certain statutes, directives, instructions, and forms. Merely by way of example your attention is directed to Article 1.03, Texas Election Code; Articles 4331, 4334, 4336; Article 9.06, Texas Business Corporation Act.

In this connection there is no statutory inhibition against the Secretary of State causing to be combined in newsletter or bulletin form several different statutes, directives, instructions, and forms which he is required by law to cause to be printed and distributed. The Secretary of State would not have the authority, however, to print and distribute a general newsletter or bulletin at state expense unless it contained those matters which he is required to have printed and distributed.

S U M M A R Y

In instances where it is the duty of the Secretary of State to cause to be printed and distributed certain statutes, directives, instructions, and forms a number of these may be combined in a newsletter or bulletin printed at state expense. Newsletters or bulletins of other types are not authorized.

Very truly yours,



CRAWFORD C. MARTIN  
Attorney General of Texas

Prepared by W. O. Shultz  
Assistant Attorney General

APPROVED:  
OPINION COMMITTEE

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