



PRICE DANIEL  
ATTORNEY GENERAL

**THE ATTORNEY GENERAL  
OF TEXAS**

**AUSTIN 11, TEXAS**

March 3, 1947

Hon. George Moffett, Chairman  
State Affairs Committee  
Senate Chamber  
Austin, Texas

Opinion No. V-61

Re: Constitutionality of  
Senate Bill No. 68,  
Fiftieth Legislature.

Dear Sir:

Your request for an opinion upon the above titled subject matter is as follows:

"Is Senate Bill 68, in the form attached hereto, constitutional? If not, the Committee would be pleased to have your department point out amendments or deletions which would bring said Bill into conformity with the Constitution of this State."

We have carefully read and studied Senate Bill No. 68 of the present Legislature, and express to you our opinion that the same as shown by the copy submitted to us, is in all respects a valid, constitutional bill, which, if adopted in its present form, would be a valid law. For the sake of clarity, we append the title and the constating section as follows:

"A BILL

TO BE ENTITLED

AN ACT authorizing and empowering commissioners of drainage districts to make changes in, additions to, and improvements of the drainage systems in their respective districts and to pay for same out of maintenance taxes provided by law to be assessed and collected in such districts: pro-

"BE IT ENACTED BY THE LEGISLATURE OF  
THE STATE OF TEXAS:

"Section 1. Commissioners of drainage districts incorporated under Chapter 7, Title 128, of the Revised Civil Statutes of Texas, and amendments thereto, are authorized and empowered to make changes in, additions to, and improvements of the drainage systems in their respective districts when in their judgment the necessity therefor exists, and to pay for same from funds provided by law to be assessed and collected in such districts to maintain, keep in repair, and to preserve the improvements in the districts, and to pay all legal, just, and lawful debts, demands and obligations against such districts, it being now provided that such levy shall never in any one year exceed one-half of one per cent of the total assessed valuation of such districts."

SUMMARY

(1) The title to Senate Bill 68 concerning drainage districts as above quoted is a valid title under the Constitution for the sub-joined bill.

(2) The body of the bill following the enactment clause, as above quoted, contains nothing that is not germane to the subject announced in the title, and the same is in all respects valid as against Constitutional objections.

Yours very truly,

APPROVED: MAR. 3, 1947

*Price Daniel*  
ATTORNEY GENERAL

OS:lh:mrj

ATTORNEY GENERAL OF TEXAS

By

*Ocie Speer*  
Ocie Speer  
Assistant

APPROVED OPINION COMMITTEE  
BY BWB, CHAIRMAN