



**THE ATTORNEY GENERAL
OF TEXAS**

AUSTIN 11, TEXAS

PRICE DANIEL
ATTORNEY GENERAL

April 15, 1947

Honorable Sam Sellers,
Penitentiary Committee,
House of Representatives,
Austin, Texas

Opinion No. V-142

Re: Validity of House
Bill No. 215 auth-
orizing the Prison
System to bid on
contracts for print-
ing, binding station-
ery and supplies of
like character with
the Board of Control.

Dear Sir:

You have requested an opinion from this of-
fice as to the validity of House Bill No. 215.

Generally, the bill meets the constitutional
requirements of being limited to one subject which is
expressed in its title, and of being sufficiently certain
and definite in its terms.

Specifically, Article XVI, Section 21 of the
Constitution of Texas directs that all printing and bind-
ing used by the various departments of the State "shall
be performed under contract to be given to the lowest re-
sponsible bidder, . . . under such regulations as shall
be prescribed by law." The constitutional provision very
clearly leaves it to the Legislature to prescribe who may
be "the lowest responsible bidder" within the constitu-
tional requirement. At present, Article 608, R.C.S. pre-
scribes the methods to be used in the award of this type
of contract, and defines "the lowest responsible bidder"
as used in the Constitution as "responsible persons, firms,
corporations or associations." House Bill 215 is designed
to enlarge this definition to include the State Prison
Board and, because such Board is an agency of the State,
very properly exempts it from the present requirement of
Article 608 that bidders on these contracts shall make
bond.

It is the opinion of this office that there
is no specific legal objection to the Legislature author-
izing the Prison Board to bid on printing contracts with

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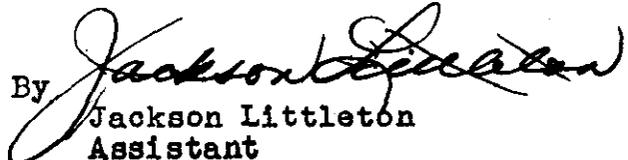
the Board of Control as provided by the House Bill presented. Accordingly, you are advised that House Bill No. 215 would be valid if enacted.

SUMMARY

There is no legal objection to House Bill No. 215, which authorizes the Prison Board to bid on contracts for State printing and supplies. The bill would be valid if enacted.

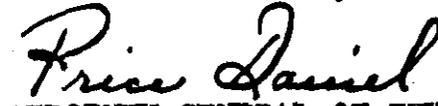
Yours very truly,

ATTORNEY GENERAL OF TEXAS

By 
Jackson Littleton
Assistant

JL:wb

APPROVED APRIL 15, 1947


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