



THE ATTORNEY GENERAL OF TEXAS

AUSTIN, TEXAS 78711

JOHN L. HILL
ATTORNEY GENERAL

May 27, 1975

The Honorable Joe Wyatt, Jr.
Chairman
Legislative Property Tax Committee
105 West Riverside Drive
Austin, Texas 78704

Opinion No. H- 617

Re: Time of expiration of the
appropriation to the Legislative
Property Tax Committee.

Dear Chairman Wyatt:

You have asked our opinion on the duration of an appropriation to the Legislative Property Tax Committee. Acts 1973, ch. 223, p. 519 [codified as V. T. C. S., art. 7100, § 4] provides in part:

Sec. 1. . . . All moneys deposited in this special fund and any unexpended balance remaining in the fund on June 1, 1973, shall be and the same are hereby appropriated to the use of the Property Tax Committee in carrying out the tasks assigned under this Act, the funds thus appropriated to be disbursed upon written orders of the Committee, with an annual accounting by the Committee to be filed with the State Auditor. This appropriation is made for a two-year period beginning June 1, 1973.

Sec. 2. This Act takes effect June 1, 1973.

However, the conference committee report did not receive a record vote in the House of Representatives, and it is asserted that the Act did not become effective until August 27, 1973, which is ninety days after adjournment of the Legislature. We need not decide whether the bill became effective on June 1, 1973, or on August 27, 1973, for in our view the effective date of the Act does not control the date on which this appropriation expires.

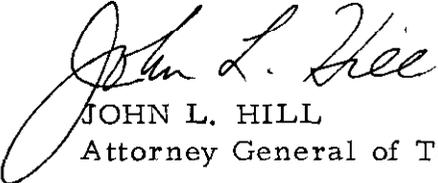
The Act appropriates funds for a two year period beginning June 1, 1973. That period expires May 31, 1975. Even though the funds may not have become available until August 27, 1973, the failure of the House of Representatives to vote to give early effect to the bill cannot be construed to extend the appropriation to a period ending two years after the effective date of the Act.

The Legislature is presumed to have chosen the words it uses with care, and its intention must be found in the language of the statute. Railroad Commission of Texas v. Miller, 434 S. W. 2d 670 (Tex. Sup. 1968). The language the Legislature chooses cannot be ignored. Perkins v. State, 367 S. W. 2d 140 (Tex. Sup. 1963). Accordingly, it is our opinion that the appropriation to the Legislative Property Tax Committee expires on May 31, 1975.

SUMMARY

The appropriation to the Legislative Property Tax Committee expires May 31, 1975.

Very truly yours,


JOHN L. HILL
Attorney General of Texas

APPROVED:


DAVID M. KENDALL, First Assistant


C. ROBERT HEATH, Chairman
Opinion Committee

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