



# THE ATTORNEY GENERAL OF TEXAS

AUSTIN, TEXAS 78711

JOHN L. HILL  
ATTORNEY GENERAL

November 4, 1975

The Honorable Bob Armstrong  
Commissioner  
General Land Office  
Austin, Texas 78701

Opinion No. H- 732

Re: Whether fees charged for  
certificates of fact are appropri-  
ated to the General Land Office.

Dear Mr. Armstrong:

You have requested our opinion concerning whether receipts from pre-  
paration of certificates of fact are appropriated to the General Land Office.

Article 5, section 60 of the Appropriations Act provides:

**PUBLICATION AND SALE OF PRINTED  
MATTER OR RECORDS.** Any moneys  
appropriated by this Act within the discre-  
tion of the head of each department or agency  
may be used for the publication and distri-  
bution of any notice, pamphlet, booklet, rules,  
regulations, or other matters of public in-  
terest, including agency records, the subject  
matter of which is directly related to the  
statutory responsibilities of the respective de-  
partment or agency.

Any moneys received and collected from any  
charges specifically authorized by statute for  
such publications or records are hereby  
appropriated to the respective department or  
agency issuing the publications, for use during  
the biennium in which the receipts are collected.  
The State Comptroller is to credit such receipts  
to the like appropriation item or items from  
which printing costs are paid. (Emphasis added.)  
Acts 1975, 64th Leg., ch. 743, art. 5, § 60.

Article 3722, V. T. C. S., requires the General Land Office to furnish per-  
sons certificates of fact concerning its records and their contents. Article  
3918, V. T. C. S., provides that "[t]he Land Commissioner is authorized and re-  
quired to charge, for the use of the state," certain fees for certificates of fact.  
See also V. T. C. S. art. 4413(33).

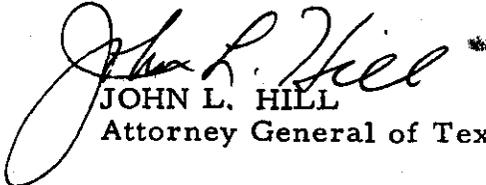
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In our view certificates of fact constitute a form of "agency records" within article 5, section 60 of the Appropriations Act. Accordingly, those charges "specifically authorized by statute for such. . . records" are appropriated to the General Land Office.

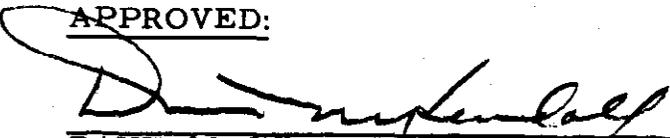
SUMMARY

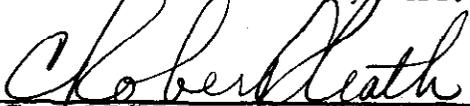
Charges for Certificates of Fact which  
are specifically authorized by article 3918  
are appropriated to the General Land Office.

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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