



**THE ATTORNEY GENERAL
OF TEXAS**

GERALD C. MANN
~~XXXXXXXXXX~~
ATTORNEY GENERAL

AUSTIN 11, TEXAS

January 24, 1939

Hon. W. Lee O'Daniel
Governor of Texas
Austin, Texas

Dear Governor:

Opinion No. 0-193
Re: Legality of suspension of
statutes by resolution

This Department is in receipt of your letter of the 23rd instant, requesting an opinion as to the legality of a proposed resolution suspending the operation of certain statutes.

The statutes referred to were passed by bills in compliance with Section 30 of Article 3 of the State Constitution, which prohibits the passage of any law except by bill.

The Supreme Court of this State, in the case of City of San Antonio vs. Micklejohn, 33 S. W. 735, 89 Tex. 79, states that a law may not be repealed by a resolution, and that "the act which destroys should be of equal dignity with that which establishes."

We, therefore, advise that the resolution, if passed, would not have the legal effect of suspending the statutes referred to, but that the repeal or suspension of these statutes must be by bill.

Yours respectfully,
ATTORNEY GENERAL OF TEXAS
s/ A. S. Rollins

By
A. S. Rollins
Assistant

ASR:PBP

Approved
s/ GERALD C. MANN
ATTORNEY GENERAL OF TEXAS