



OFFICE OF THE ATTORNEY GENERAL OF TEXAS
AUSTIN

GERALD C. MANN
ATTORNEY GENERAL

Hon. George H. Sheppard
Comptroller of Public Accounts
Austin, Texas

Dear Sir:

Opinion No. O-1482

Re: Traveling expenses for the Texas Prison System, under Senate Bill 427, Acts of the 46th Legislature, Regular Session.

This will acknowledge receipt of your letter of September 21, 1939, wherein you ask the opinion of this department upon the following question:

"Upon examining the 'Maintenance and Miscellaneous' appropriation for the Texas Prison System I fail to find a specific appropriation for traveling expenses. Item 12 reads, as follows:

"General Support and Maintenance; also includes transportation, recapture, contingent expenses and liability insurance premiums . . . \$375,000.00."

"Is the language used in this appropriation sufficient to permit me to pass for payment traveling expense accounts in which meals and lodging are included?"

This question is answered in the affirmative, being ruled by the conference opinion numbered 3089, addressed to you by this department several days ago. Since there is no specific item in the appropriation for the Texas Prison System providing traveling expenses, under the holding made in the conference opinion above referred to, the item for "contingent expenses," providing for those expenditures of

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the Department for which specific provision has not otherwise been made, is available for traveling expenses of the Department.

Yours very truly

ATTORNEY GENERAL OF TEXAS

By *RW Fairchild*
R. W. Fairchild
Assistant

APPROVED OCT 7, 1939
RWF:dbp

[Signature]
FIRST ASSISTANT
ATTORNEY GENERAL

APPROVED
OPINION
COMMITTEE
BY *[Signature]*
CHAIRMAN