



OFFICE OF THE ATTORNEY GENERAL OF TEXAS
AUSTIN

GROVER SELLERS
ATTORNEY GENERAL

Honorable Weaver H. Baker, Chairman
State Board of Control
Austin 11, Texas

Dear Sir:

Opinion 0-7209

Re: House Bill No. 740, Acts,
49th Legislature, Regular
Session, 1945, transferring
control of Galveston State
Psychopathic Hospital from
State Board of Control to
the Board of Regents of the
University of Texas, and
specifically as relates to
the Revolving or Local Fund
of same.

We have received your recent inquiry as follows:

"Dear General Sellers:

You will recall that H. B.
740, Acts of the Forty-Ninth Legislature, Regular
Session, 1945, authorized the transfer of the con-
trol of the Galveston Psychopathic Hospital from
the State Board of Control to the Board of Regents
of the University of Texas.

Such transfer has been effected.
At the present time, however, we find that there
is an amount in the sum of \$272.00 in the Deposited
Local Funds of the Galveston Psychopathic Hospital
which accrued while said hospital was under the
control of the State Board of Control, which is
carried by the Comptroller of Public Accounts as
Account Number G-650.

We respectfully request your
opinion on the following questions:

- (1) Should this fund lapse
into the General Fund;
- (2) Because of H. B. 740, supra,
should this fund be transferred to the University of
Texas; or
- (3) Does this fund belong to the

Board of Control to be used in its Eleemosynary Service."

The Galveston State Psychopathic Hospital was transferred to the University of Texas, May 24, 1945, therefore after that time the laws regulating the University of Texas would control the Psychopathic Hospital.

Under the University of Texas Appropriation bill we find:

"APPROPRIATION-Educational Institutions of Higher Learning, Chapter 377, House Bill No. 173, General and Special Laws of Texas 49th Legislature, 1945, page 682.

Sec. 1 (a) That all balances in the institutional funds of the several State institutions named in this act, at the close of the fiscal year ending August 31, 1945, including balances in revolving funds at that time, and the entire income to said funds during each of the two fiscal years ending August 31, 1946, and August 31, 1947, which are not otherwise appropriated for either or both of said fiscal years are hereby appropriated for the support, maintenance, operation and improvement of said State institution during each of the said fiscal years, respectively."

The Psychopathic Hospital is named on page 750, Line 202 through 223 of the University of Texas Medical Branch.

Therefore, it is our opinion that the fund has been appropriated to the University of Texas to be used by it for said hospital.

Your questions should be answered as follows:

- No. 1 -- No
- No. 2 -- Yes
- No. 3 -- No

Yours very truly,

ATTORNEY GENERAL OF TEXAS

Fancher Archer

By

Fancher Archer
Assistant

1946
RECEIVED
MAY 17 1946

FA/e

APPROPRIATION
OPINION
COMMISSION
BY *BL*
CHAIRMAN