



**THE ATTORNEY GENERAL  
OF TEXAS**

**AUSTIN, TEXAS 78711**

**CRAWFORD C. MARTIN  
ATTORNEY GENERAL**

November 10, 1967

Honorable Homer Garrison, Jr.  
Director, Texas Department of Public Safety  
P. O. Box 4087, North Austin Station  
Austin, Texas 78751

Opinion No. M-156

Re: Whether under Senate Bill No. 15, 60th Legislature, authorizing the Department of Public Safety to purchase land and to construct a subdistrict headquarters building in El Paso, the Department may purchase the land together with the desired fully constructed building, without the necessity of construction.

Dear Colonel Garrison:

In your request for an opinion from this office you state the following:

"We request your opinion on the following: Senate Bill 15 of the 60th Legislature provides in part as follows:

"From funds appropriated above for the Department of Public Safety Construction Program, the Department is authorized to undertake the following projects:

" . . .

"7. For the purchase of land and the construction of a subdistrict headquarters building in El Paso."

"The Department has located property in El Paso, Texas, with a suitable building which will provide necessary facilities. Can the Department purchase this property even though there will be no construction required?

" . . ."

In construing the statute, the Court must look to the object to be accomplished and place on it a reasonable or liberal construction which will best effect its purpose rather than one which will defeat it. 82 C.J.S. 593, Statutes, Sec. 323. An act should be given a practical and reasonable rather than a literal construction so as to accomplish as nearly as possible the intent of the Legislature. *Brown and Root v. Durland*, 126 Tex. 20, 84 S.W.2d 1073 (1935). A statute will

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be construed in such manner as to accomplish the legislative intent. *Independent Life Insurance Company v. Work*, 124 Tex. 281, 77 S.W.2d 1036 (1934). The aim and object of construction is to ascertain and enforce the legislative intent. *Koy v. Schneider*, 110 Tex. 369, 218 S.W. 479 (1920).

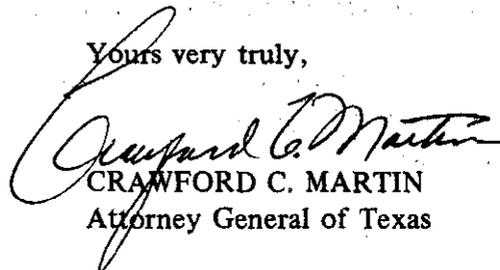
By enacting said Senate Bill No. 15, the 60th Legislature intended to authorize the Department of Public Safety to acquire a subdistrict headquarters building in El Paso, Texas. The purchase of land includes the purchase of any permanent improvements situated upon the land. The object for which the legislation was enacted will be fulfilled by purchasing land with a suitable building on it.

It is the opinion of this office that the Department of Public Safety has the authority under Senate Bill No. 15 of the 60th Legislature to purchase land in El Paso, Texas, with a suitable subdistrict headquarters building upon it even though no construction is required.

#### S U M M A R Y

Senate Bill No. 15 of the 60th Legislature authorizes the Department of Public Safety to purchase land in El Paso, Texas, with a suitable subdistrict headquarters building upon it even though no construction will be required.

Yours very truly,



CRAWFORD C. MARTIN  
Attorney General of Texas

Prepared by Jack Sparks  
Assistant Attorney General

APPROVED:  
OPINION COMMITTEE

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