



**THE ATTORNEY GENERAL
OF TEXAS**

AUSTIN, TEXAS 78711

**JOHN L. HILL
ATTORNEY GENERAL**

April 25, 1973

The Honorable David Finney
Chairman, Committee on State Affairs
P. O. Box 2910
Austin, Texas 78767

Letter Advisory No. 16

Re: House Bill 171

Dear Representative Finney:

On behalf of the State Affairs Committee of the House of Representatives you have asked our opinion as to the constitutionality of House Bill 171 which would require the Legislative Budget Board to establish a system of fiscal notes, identifying the probable cost of certain proposed legislation and requiring that the fiscal notes be attached to each bill prior to committee hearing.

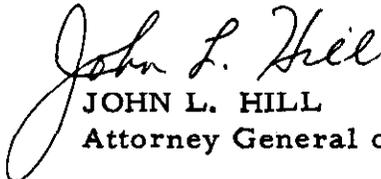
The Legislative Budget Board is an arm of the Legislature created in 1949 (Acts 1949, 51st Leg. Ch. 487, p. 908, Art. 5429c, Vernon's Texas Civil Statutes) for the purpose of assisting the Legislature in preparation of its appropriation bills.

It is obvious that the Legislature must investigate the facts to assist it in preparation of its bills and there is no constitutional prohibition against the delegation of fact-finding power in those situations where the Legislature cannot practically or efficiently exercise that power itself.

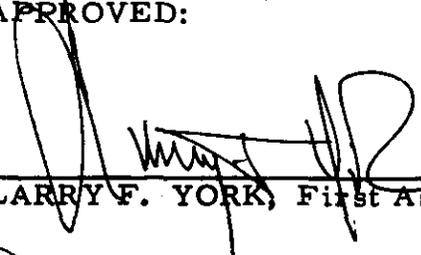
We find no constitutional problem with House Bill 171.

Trimmier v. Carlton, 296 S. W. 1070 (Tex. 1927); Trapp v. Shell Oil Co., 198 S. W. 2d 424 (Tex. 1946); Moody v. City of University Park, 278 S. W. 2d 912 (Tex. Civ. App., Dallas, 1955, err. ref., n. r. e.).

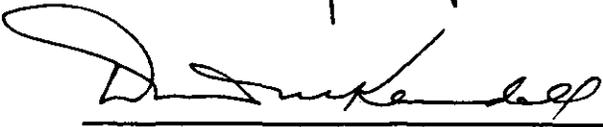
Very truly yours,


JOHN L. HILL
Attorney General of Texas

APPROVED:



LARRY F. YORK, First Assistant



DAVID M. KENDALL, Chairman
Opinion Committee