

**Opinion No. 45-4666**

February 17, 1945

**BY:** C. C. McCULLOH, Attorney General

**TO:** Mrs. Will Rogers, Member House of Representatives 226 No. Dartmouth Avenue  
Albuquerque, New Mexico

{\*25} We are in receipt of your letter of February 13, 1945, in which you ask whether a bill may be enrolled and engrossed by having a photostatic copy made.

The only provision in the Constitution defining the manner of preparing a bill as finally passed is that contained in Article 4, Section 20, which requires that each bill be enrolled and engrossed. The word "enrolled", as used in the Constitution, is defined to be a bill which has been introduced into the Legislature, has been finally passed by both houses, signed by the officers of each, signed by the Governor, and filed away by the Secretary of State as highest evidence of what the law is. The word "engrossed" has come to mean any fair, plain and legible manner of writing. (Anderson v. Commonwealth, 121 S. W. 2d 46.) Thus, if a photostatic copy of a bill was legible, it might be considered engrossed, and when all the formal steps were followed, it would be enrolled. Thus, this method would be constitutional.

It does not appear to me that as a practical matter this procedure would be workable. First, we have had considerable difficulty in getting {\*26} legible photostatic work done in Santa Fe. Second, the copy photostated would have to be perfect. Third, this method would not be workable with the large numbers of bills where floor amendments have been made. Fourth, the printed, or typewritten bill would be far more suitable than a photostat made from it.

It seems to me that the solution to your problem is to procure good typists. I believe that if an attempt were made, such typists could be found. We would be glad to assist the House in getting competent typists.

By ROBERT W. WARD,

Asst. Atty. General