



**THE ATTORNEY GENERAL
OF TEXAS**

GERALD C. MANN

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ATTORNEY GENERAL

AUSTIN 11, TEXAS

January 3, 1939

Mr. Charles R. Martin
County Auditor, Harrison County
Marshall, Texas

Dear Mr. Martin:

Opinion No. 0-06

Re: Bond Premium Expense of
County Officer

Your letter of December 30, 1938, addressed to Attorney General Wm. McCraw, has been referred to this Department for attention. Your letter reads, in part, as follows:

"Will you please advise me whether or not the premium on the surety bond made by the county officer is an expense borne by the county, or should same be paid by the auditor?"

You are respectfully advised that it is the opinion of this Department that the premium on the official bond of the county office of Harrison County, Texas, should be paid by the auditor personally as a personal expense and should not be paid by Harrison County.

The County Auditor is not a fee officer and does not come within the provisions of the Officers' Salary Law, whereby such character of expense could be legally charged up as an expense of office.

There is no provision in the Statutes providing for the payment of the County Auditor's bond premium on his official bond.

On July 17, 1935, Honorable Leon O. Moses, Assistant Attorney General of Texas, wrote an opinion

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covering a question very similar to the above question,
and I enclose herewith a copy of Mr. Moses' opinion.

I am Trusting that the above answers your question,

Yours respectfully,
ATTORNEY GENERAL OF TEXAS

By
Assistant

WJF:BT:mjs
ENCLOSURE

APPROVED:

/s/ Gerald C. Mann

ATTORNEY GENERAL OF TEXAS