



OFFICE OF THE ATTORNEY GENERAL OF TEXAS
AUSTIN

GERALD C. MANN
ATTORNEY GENERAL

May 30, 1939

Hon. William W. Allen
County Attorney, Lavaca County
Hallettsville, Texas

Dear Sir:

Opinion No. 9-648
Re: Precinct officers - pay-
ment of bond premium.

Your request for opinion on the following question:

"Is it legal for the county to pay the premium on the official bond of a justice of the peace or other precinct officer in a county where county officials are paid on a salary basis and the precinct officers on a fee basis?"

has been received by this department.

Article 3899 of the Revised Civil Statutes of Texas authorizes the county commissioners' court to pay the premiums on official's bonds of certain county and precinct officials, who are on the salary system, out of the Officer's Salary Fund. There is no provision in this statute authorizing the commissioners' court to pay the premium on the official bond for any county or precinct officers, while said officers are on the fee system.

We are unable to find any authority whereby the commissioners' court would be authorized to pay premium on the official bond of a justice of the peace or other precinct officer, while such officers were on the fee system.

You are therefore respectfully advised that it is the opinion of this department that it is not legal for the county to pay the premium on the official bond of a justice of the peace or other precinct officer in a county where county officials are paid on a salary basis and the precinct officers on a fee basis.

Trusting that this answers your inquiry, we are

Yours very truly

ATTORNEY GENERAL OF TEXAS

WJF:AW

APPROVED:

Gerald C. Mann (signed)
ATTORNEY GENERAL OF TEXAS

By

(signed)
Wm. J. Fanning
Assistant