



OFFICE OF THE ATTORNEY GENERAL OF TEXAS
AUSTIN

May 16, 1939

Hon. Robert F. Cherry
County Attorney
Bosque County
Meridian, Texas

Dear Sir:

Opinion No. O-752

Re: The power of the commissioners' court to buy automobiles or trucks or pay traveling expenses inside or outside of the county for the various commissioners.

Your request for an opinion on the following questions:

"Does the Commissioners' Court of Bosque County have the power to allow to the commissioners any amount of money to reimburse such commissioners for traveling and other expenses, either within or without the counties in which they live or the precincts which they serve?"

"May the Commissioners' Court of Bosque County purchase automobiles or trucks for each commissioner to use and operate, personally, when traveling within and/or without the county on county business; such automobiles or trucks to be purchased with county funds and the expense of upkeep and operation of such vehicle to be paid out of county funds?"

has been received by this office.

We have carefully read Articles 2350 to 2350(m)

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of Vernon's Civil Statutes of the state of Texas, pertaining to salaries and compensation generally, allowed to county commissioners of the state of Texas. From the information which we have, the population of Bosque County, according to the last available United States census, is fifteen thousand seven hundred and fifty (15,750).

Many counties operate under special road laws which provide generally for a more efficient road system in such counties, and especially provide for the payment of accounts or expenses incurred by the county commissioners in the operation of their own private automobiles while supervising the maintenance of roads in their counties. They further provide for the purchase and payment of various kinds of equipment including pick-ups, etc. However, after a careful search of the statutes, we are unable to find any special statute, or road law, under which Bosque County operates, therefore, the general road law is applicable to Bosque County. The general law makes no provision for the payment of accounts or expenses incurred by commissioners while using their own private automobiles in connection with their business as county commissioners, nor is there any provision made for the purchase of automobiles or pick-ups, etc. for the county, to be used by the county commissioners in the conduct of their office.

You are respectfully advised that it is the opinion of this department that the commissioners' court in counties operating under the general road law of this state are not empowered or authorized to buy automobiles, pick-ups or trucks for the county to be used by the commissioners in the performance of their duties as county commissioners, nor is the county authorized to pay the expenses of such commissioners, incurred by them in the operation of their own private automobiles in the conduct of their office.

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Trusting that this answers your inquiry, we
are

Very truly yours

ATTORNEY GENERAL OF TEXAS

By *Fred C. Chandler*

Fred C. Chandler
Assistant

FCC:AW

APPROVED:

Bersch, Mann
ATTORNEY GENERAL OF TEXAS

