



**THE ATTORNEY GENERAL  
OF TEXAS**

**AUSTIN 11, TEXAS**

**JOHN BEN SHEPPERD  
ATTORNEY GENERAL**

September 6, 1955

Honorable John H. Winters  
Executive Director  
Department of Public Welfare  
Austin, Texas

Letter Opinion No. MS-236

Re: Legality of paying  
students 14 years of  
age and older for  
duties assigned to  
them at Waco State  
Home and Corsicana  
State Home.

Dear Mr. Winters:

Your request for an opinion of this office concerns the authority of the Department of Public Welfare to pay the children who are residents of the Waco State Home and Corsicana State Home for services rendered in these homes.

Section 37 of Article VI of House Bill 140, Acts of the 54th Legislature, 1955, ch. 519, pp. 1348, 1595, (General Provisions of the Biennial Appropriation Bill), is as follows:

"Student employment at Waco and Corsicana State Homes. Subject to the approval of the appropriate governing boards, students fourteen (14) years of age and older at the Waco State Home and the Corsicana State Home may be assigned necessary duties in the operations of the institutions and be paid on a limited basis out of any funds available to the respective institutions not to exceed Four Thousand Dollars (\$4,000) a year for each institution."

We have made a diligent search of the Constitution and statutes and we find no constitutional or statutory inhibition against the payment of students for services rendered to the two State Homes inquired about. We are assuming that the duties assigned and the hours of employment will comply with all statutory provisions relating to employment of children.

Therefore, you are advised that you may pay students 14 years or older for necessary duties assigned to them in the Waco State Home and the Corsicana State Home pursuant to the provisions of House Bill 140, Acts of the 54th Legislature.

Yours very truly,

APPROVED:

JOHN BEN SHEPPERD  
Attorney General

J. C. Davis, Jr.  
County Affairs Division

*B. Duncan Davis*

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Reviewer

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BDD:zt