



**THE ATTORNEY GENERAL  
OF TEXAS**

**AUSTIN, TEXAS 78711**

**CRAWFORD C. MARTIN**

**ATTORNEY GENERAL**

July 20, 1971

Hon. J. W. Edgar  
Commissioner of Education  
Texas Education Agency  
201 East Eleventh Street  
Austin, Texas 78701

Opinion No. M-908

Re: Construction of House Bill  
803, House Bill 1062 and  
Senate Bill 1008, Acts 62nd  
Leg., R.S. 1971, relating  
to salaries of assistant  
county superintendents.

Dear Dr. Edgar:

Your request for an opinion asks the following question:

"Does House Bill 1062, Acts 62nd Legislature, R.S. 1971, amending Section 17.52(a) of the Texas Education Code, apply uniformly to all counties in the matter of such not-to-exceed (1) annual salary of first assistant county superintendents and (2) aggregate annual salaries of all assistant to such county superintendents?"

House Bill 803, Acts 62nd Leg., R.S. 1971, fixes the salaries of assistant county school superintendents in counties having a population according to the last preceding federal census of more than 260,000 but less than 325,000 inhabitants. House Bill 802 passed the Legislature on May 6, 1971.

Senate Bill 1008, Acts 62nd Leg., R.S. 1971, also fixes the compensation of assistant county school superintendents. Senate Bill 1008 passed the Legislature May 20, 1971.

House Bill 1062, Acts 62nd Leg., R.S. 1971, fixes the salaries of all assistant county school superintendents in the State. House Bill 1062 passed the Legislature May 26, 1971.

Therefore House Bill 1062 is the latest expression of the Legislature relating to the compensation of assistant county superintendents and will control over the provisions of House Bill 803 and Senate Bill 1008. Attorney General's Opinion M-497 (1969); Attorney General's Opinion V-990 (1950) aff'd by Ex parte De Jesus de la O, 227 S.W.2d 212 (Tex.Crim. 1950); Townsend v. Terrell, 118 Tex. 463, 16 S.W.2d 1063 (1929); Wright v.

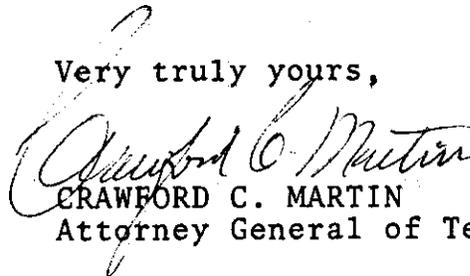
Broeter, 145 Tex. 142, 196 S.W.2d 82 (1946); Stevens v. State, 159 S.W. 503 (Tex.Crim. 1913); Parshall v. State, 138 S.W. 759 (Tex.Crim. 1911).

You are accordingly advised that the provisions of House Bill 1062 amending Section 17.52(a) of the Texas Education Code apply uniformly to all counties and prescribe the maximum compensation that may be paid assistant county superintendents.

S U M M A R Y

House Bill 1062 amending Section 17.52(a) of the Texas Education Code applies uniformly to all counties and prescribes the maximum compensation that may be paid assistant county school superintendents, and controls over the provisions of House Bill 803 and Senate Bill 1008, Acts 62nd Leg., R.S. 1971.

Very truly yours,

  
CRAWFORD C. MARTIN  
Attorney General of Texas

Prepared by John Reeves  
Assistant Attorney General

APPROVED:  
OPINION COMMITTEE

Kerns Taylor, Chairman  
W. E. Allen, Co-Chairman  
James McCoy  
Linward Shivers  
Brandon Bickett  
A. J. Gallerano

MEADE F. GRIFFIN  
Staff Legal Assistant

ALFRED WALKER  
Executive Assistant

NOLA WHITE  
First Assistant