



OFFICE OF THE ATTORNEY GENERAL OF TEXAS
AUSTIN

GERALD C. MANN
ATTORNEY GENERAL

February 4, 1939

Honorable A. M. Turney
County Attorney, Brewster County
Alpine, Texas

Dear Mr. Turney:

Opinion No. 0-124
Re: Commissioners' Court
Authority to fix compensa-
tion of deputy county officers

Your letter of January 12, 1939, has been received.

You ask our opinion whether the Commissioners' Court has the right or authority to reduce the amount allowed deputies by county officers, where it has been fixed by the officer at the maximum, and when the county is on the fee system of compensation for said officers.

We respectfully refer you to Article 3902, R.C.S., as amended. This Article reads, in part, as follows:

"Whenever any district, county or precinct officer shall require the services of deputies * * * he shall apply to the County Commissioners' Court of his county for authority to appoint said deputies, * * * and said court shall make its order authorizing the appointment of such deputies * * * and fix the compensation to be paid them within the limitation herein prescribed * * * etc."

Article 3902, supra, will apply to your county under the facts stated by you.

It has also been held where the Commissioners' Court has power to fix the compensation of an officer, it may change the amount at any time. See 34 Tex. Jur., and cases cited.

Yours very truly

ATTORNEY GENERAL OF TEXAS

By *Benjamin Woodhall*