



OFFICE OF THE ATTORNEY GENERAL OF TEXAS
AUSTIN

GERALD C. MANN
ATTORNEY GENERAL

Hon. Truett Barber
District Attorney
Colorado, Texas

Dear Sir:

Opinion No. 0-1245
Re: Salaries of county commissioners
in counties having assessed valuation
of less than \$4,500,000.00.

Your request for an opinion on the questions as
are herein stated has been received by this office.

We restate your questions as follows:

1. In setting the salaries of county commissioners in counties having assessed valuation of less than \$4,500,000.00, is it necessary that the commissioners agree to how many days for each month they shall turn in for this work?
2. If two of the commissioners want at this time of the year (June or July) their salaries raised, is it permissible to raise or lower salaries at other times than January of each year?
3. Would it be permissible for the commissioners of precincts 2 and 3 to put in their time for ten days per month and the commissioners of precinct 1 and 4 to put in their time for seven days per month?

Article 2350, R. C. S., reads in part as follows:

"....In counties having assessed valuation of less than Four Million Five Hundred Thousand Dollars (\$4,500,000) each commissioner shall receive Five Dollars (\$5) per day for

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each day served as commissioner, and a like amount when acting as ex-officio road superintendent in his Commissioner's Precinct, providing in no event shall his total compensation exceed Nine Hundred Dollars (\$900) in any one year...."

The above quoted statute specifically provides that the salary for each commissioner in counties having assessed valuation of less than \$4,500,000.00 shall be \$5.00 per day for each day served as commissioner, and a like amount when acting as ex-officio road superintendent in his commissioner's precinct, providing in no event shall his total compensation exceed \$900.00 in any one year.

In view of the foregoing statute we think that your questions can be answered together. Therefore, you are respectfully advised that it is the opinion of this department that the commissioners are not permitted to agree as to how many days each month they shall turn in to the commissioners' court for this work and that such commissioners are only entitled to the salary as provided by the statute.

Trusting that the foregoing answers your inquiry, we remain

Very truly yours

ATTORNEY GENERAL OF TEXAS

By *Ardell Williams*

Ardell Williams
Assistant

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APPROVED SEP 5, 1939

Frank Mann

ATTORNEY GENERAL OF TEXAS

