



**THE ATTORNEY GENERAL
OF TEXAS**

Gerald C. Mann

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ATTORNEY GENERAL

AUSTIN 11, TEXAS

Hon. J. C. Gowdy
County Auditor
Wichita County
Wichita Falls, Texas

Opinion No. 0-1928
Re: Commissioners' court has author-
ity to pay office rent on space for
supervisors of the State Department
of Public Welfare.

Dear Sir:

This will acknowledge receipt of your letter of Jan-
uary 31, 1940, in which you seek the opinion of this depart-
ment on the question:

"I would appreciate very much being advised
by your department whether or not the Commissioners'
Court of this county have authority to provide of-
fice space, in a private building, and pay rent on
same for the Supervisors of the State Department
of Public Welfare where such officials are Area Su-
pervisors over several counties? In this case it
is for Area #27, State Department of Public Welfare,
covering about seventeen counties."

It is provided in House Bill 885, Acts of the 46th
Legislature, 1939, now known as Section 1 of Article 2372e-2
of the Revised Civil Statutes that:

"Section 1. The County Commissioners Courts
and the City Commission of any incorporated town or
city of this State are hereby authorized to lease,
rent, or provide office space for the purpose of
aiding and cooperating with the agencies of the
State and Federal Governments engaged in the admin-
istration of relief to the unemployed or needy peo-
ple of the State of Texas, and to pay the regular
monthly utility bills for such offices, such as
lights, gas, and water; and when in the opinion of
a majority of a Commissioners Court of a county
such office space is essential to the proper admin-
istration of such agencies of either the State or
Federal Governments, said Court is hereby specifi-
cally authorized to pay for same and for the regu-
lar monthly utility bills for such offices out of
the County's General Fund by warrants as in the pay-
ment of such other obligations of the county."

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It is our opinion that such article fully authorizes the commissioners' court to make the expenditures inquired about, if a majority of the membership thereof has concluded the necessity therefor, even though the office space so furnished, might result in benefits to be derived to the needy of adjoining counties.

Yours very truly

ATTORNEY GENERAL OF TEXAS

By /s/ Lloyd Armstrong
Lloyd Armstrong, Assistant

APPROVED FEB 21, 1940
/s/ W. F. Moore
FIRST ASSISTANT ATTORNEY GENERAL

APPROVED: OPINION COMMITTEE
BY: BWB, CHAIRMAN

LA:AW:wb