



OFFICE OF THE ATTORNEY GENERAL OF TEXAS
AUSTIN

GERALD C. MANN
ATTORNEY GENERAL

Honorable H. L. Roberson
County Attorney
Winkler County
Kermit, Texas

Dear Sir:

No. 0-2368
Re: Authority of commissioners' court to pay a portion of the salary of a scabies inspector.

This will acknowledge receipt of your letter of May 13, 1940, in which you request the opinion of this department as to whether or not the commissioners' court of your county has the authority to pay a portion of the salary of a scabies inspector.

Section 8 of Article 1525a of the Penal Code is:

"When the fact has been determined by inspection or investigation that sheep or cattle scabies infection exists in any County within this State, then the County Commissioners' Court of such County shall appropriate a sufficient sum of money to employ County inspectors to cooperate with and under the direction of the Live Stock Sanitary Commission of Texas in scabies eradication."

A careful consideration of the above quoted section as well as the entire act from which is taken, convinces us that it was the legislative intent to vest in the commissioners' court of every county in the State the authority to make provision for the prompt and efficient control of scabies infection within their respective counties.

It is apparent under such section that if the commissioners' court has first determined, either by inspection or investigation, that sheep or cattle infection exists within their county, they are authorized to make appropriation to employ inspectors to assist in the eradication of such disease.

Honorable H. L. Roberson, Page 2

The inspectors so hired are to be under the direction of the Livestock Sanitary Commission of this State.

It is our opinion that your commissioners' court has the authority to pay a portion of the salary of an inspector to devote a portion of his time to scabies inspection work within your county upon a determination of the need therefor.

Yours very truly

ATTORNEY GENERAL OF TEXAS

By

/s/
Lloyd Armstrong
Assistant

LA:AW

APPROVED MAY 23, 1940

/s/ Gerald C. Mann
ATTORNEY GENERAL OF TEXAS

Approved
Opinion Committee
By E.W.B., Chairman