



OFFICE OF THE ATTORNEY GENERAL OF TEXAS
AUSTIN

GERALD C. MANN
ATTORNEY GENERAL

Honorable J. W. Lyon, Jr.
County Attorney
Eriscos County
Silverton, Texas

Dear Sir:

Opinion No. 9-3020

Re: A county attorney is not entitled to fees or compensation for mailing out delinquent tax notices.

Your request for opinion upon the following stated questions:

"1. What fees, if any, are by law allowed the county attorney for sending or mailing out delinquent tax notices to those who are delinquent in the payment of their taxes?"

"2. Does the commissioners' court have the right to pay a county attorney for mailing out such notices?"

has been received and carefully considered by this department.

It is not the duty of the county attorney to mail out delinquent tax notices (See Conference Opinion No. 3105 of this department, a copy of which is enclosed herewith.); nor is there a fee provided by statute for same.

Opinion No. 9-41 of this department holds that the only compensation the county attorney can receive for his services in delinquent tax matters are the fees set out in Article 7332, Vernon's Annotated Texas Civil Statutes. We enclose herewith a copy of said opinion.

We answer your questions as follows:

Honorable J. W. Lyon, Jr., Page 2

Question No. 1. No fees are provided by law and the county attorney is not entitled to any fees for such services.

Question No. 2. No.

Very truly yours

APPROVED JAN 30, 1941

Grover Sellers
FIRST ASSISTANT
ATTORNEY GENERAL

ATTORNEY GENERAL OF TEXAS

By

Wm. J. Fanning

Wm. J. Fanning
Assistant

WJF:GO

ENCLOSURES

