



OFFICE OF THE ATTORNEY GENERAL OF TEXAS  
AUSTIN

GERALD C. MANN  
ATTORNEY GENERAL

Honorable Homer Garrison, Jr., Director  
Department of Public Safety  
Austin, Texas

Dear Sir:

Opinion No. Q-4242  
Re: Authority of Department of  
Public Safety to defray  
cost of preparing and serv-  
ing meals in training school  
for patrolmen out of Item  
477 of the appropriation  
to the Department of Public  
Safety.

We acknowledge receipt of your letter of November 26, 1941, in which you request the opinion of this department as to whether or not the Department of Public Safety is authorized to defray the cost of preparing and serving meals to new patrolmen in training at Camp Mabry out of Item 477 of the appropriation to the Department of Public Safety.

Item 477 of Senate Bill 425, Forty-seventh Legislature, Regular Session, places an appropriation at the disposal of the Department of Public Safety for numerous miscellaneous expenditures including "expenses of operating a training school for patrolmen." The authority for the operation and maintenance of a training school is derived from Senate Bill No. 31, Forty-second Legislature, Regular Session, which amended Section 16 of the Senate Bill No. 11, Forty-first Legislature, Second Called Session. The Department of Public Safety is authorized under these acts of the Legislature to pay all reasonable and necessary expenses for the proper functioning of the State Highway Patrol "including the establishment and maintenance of a training school for State Highway Patrolmen." The law further provides that before a State Highway Patrolman may be permanently appointed he shall have taken a course consisting of at least seven weeks training in the school.

It appears from the above references that the Department of Public Safety not only is authorized to conduct a training school and to pay all the expenses incident thereto but

Honorable Homer Garrison, Jr., page 2

also that the Legislature has made a specific appropriation for the payment of such expenses and it is necessary under the law that the man appointed as highway patrolman must have had a seven weeks training course in this school. Since these definite requirements are made it is necessary for the department to provide facilities for housing the men while in training and in that connection to pay whatever expenses are reasonable or necessary. It is the opinion of this department that the cost of preparing and serving meals to the men in training preparatory to being appointed patrolmen is a reasonable cost incident to the establishment and maintenance of the training school, and that the Department of Public Safety is authorized to defray such costs out of Item 477 referred to above.

Very truly yours

ATTORNEY GENERAL OF TEXAS

By... (s) Ross Carlton  
Assistant

RC:db

APPROVED DEC. 18, 1941  
(s) Grover Sellers  
First Assistant Attorney General

APPROVED  
Opinion Committee  
By B.W.B. Chairman