



OFFICE OF THE ATTORNEY GENERAL OF TEXAS

AUSTIN

GERALD C. MANN
ATTORNEY GENERAL

Honorable J. S. Murchison
Executive Director
State Department of Public Welfare
Austin, Texas

Dear Sir:

Opinion No. O-5042
Re: Cashing Old Age Assistance,
Aid to the Needy Blind, and
Aid to Dependent Children
Warrants after the death of
the recipient or payee named
therein

We have carefully considered your letter of
January 14, 1943, which reads as follows:

"The Department of Public Welfare mails the old age assistance, aid to the needy blind, and aid to dependent children warrants each month between the fifth or sixth and the fifteenth of the month. These warrants are dated on the day that we anticipate that the warrants will be mailed and are for the current month.

"In the event a recipient of assistance dies during the current month, but prior to the cashing of his warrant, is it permissible under existing laws for this Department to permit the administrator of the estate, or some person responsible for the payment of the debts of the recipient, to cash and use this last warrant?"

"If the first question is answered in the negative, is it permissible for the Department to cancel the warrant issued to the recipient and re-issue a warrant to the administrator of the estate or some person legally responsible for the payment of the recipient's debts?"

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In our opinion the warrants inquired about are transferable, and may be paid to any one who holds same, properly endorsed.

If the payee named in the warrant dies before he endorses same, the warrant can only be paid to his administrator, heirs or guardian.

The unpaid warrant can not be cancelled by you and a new warrant issued in lieu thereof.

MAR 31, 1943

Gov. Allen

FIRST ASSISTANT
ATTORNEY GENERAL

Very truly yours

ATTORNEY GENERAL OF TEXAS

Geo. W. Barcus

By

Geo. W. Barcus
Assistant

GWB-MR

