



OFFICE OF THE ATTORNEY GENERAL OF TEXAS  
AUSTIN

GERALD C. MANN  
ATTORNEY GENERAL

Honorable I. Predecki  
County Auditor, Galveston County  
Galveston, Texas

Dear Sir:

Opinion No. O-5702  
Re: Authority of county to  
purchase and remodel  
building for operation  
of County Health Unit.

Your letter of October 26, 1943, regarding the above captioned matter has received our careful attention. You point out that the county has agreed to participate to the extent of \$6,600 per annum in cooperation with the State Health Department in the operation of a County Health Unit. This amount is budgeted as follows: \$2,100 for sanitarian, \$1,800 for nurses, \$1,800 for travel and \$900 for all other expenses. In the county's budget for the year 1943, \$6,000 was provided as the county's share in a health unit, but no provision was made for the purchase and remodeling of a building which it is estimated will cost \$10,000.

In Opinion No. O-2251, a copy of which is enclosed here, this department held that while the Legislature had made no specific provision for the establishment of a health unit (in Taylor County); nevertheless, under the articles listed in Title 21 of the Revised Civil Statutes, 1925, as amended, the county could use its funds in cooperation with the State Health Department to maintain such a unit. Likewise, in Opinion No. O-2580-A, we held that Liberty County was authorized to accept a gift of a building and expend money for the maintenance of a public health unit. The reasons for these opinions apply equally as well to Galveston County.

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The county's authority to purchase and repair a building for the use of the unit, if a building is found necessary by the Commissioners' Court, is contained in Article 2351, Vernon's Annotated Civil Statutes. Among other things, this article provides that each commissioners' court shall:

"Provide and keep in repair courthouses, jails and all necessary public buildings."

We therefore advise you that Galveston County is authorized to purchase and remodel a building for the use of the County Health Unit if the Commissioners' Court finds such a building necessary. The purchase must, of course, be made from the proper fund and be in compliance with the Budget Law, Acts 1931, 42nd Legislature, Chapter 206, page 339; Articles 689a-9 - 689a-12, Vernon's Annotated Civil Statutes.

Yours very truly

APPROVED NOV 10, 1943  
(s) Grover Sellers  
FIRST ASSISTANT  
ATTORNEY GENERAL

ATTORNEY GENERAL OF TEXAS

By (signed)  
Jas. E. Smullen  
Assistant

JDS:EP:JCP

Encl.

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

FRS