



**THE ATTORNEY GENERAL  
OF TEXAS**

**AUSTIN 11, TEXAS**

**PRICE DANIEL  
ATTORNEY GENERAL**

March 6, 1952

Hon. Sam W. Davis  
District Attorney  
Houston 2, Texas

Opinion No. V-1415

Re: Authority of the commissioners' court to expend county funds to pay expenses for members of the county juvenile department to attend a national conference of juvenile agencies.

Dear Sir:

You have requested an opinion of this office with regard to the authority for payment of the expenses of members of the county juvenile department ". . . while attending State or National meetings of Institutes or Conventions which have a direct bearing on juvenile problems."

It was held in Attorney General's Opinion 0-810 (1939) that Article 3899, V.C.S., providing for payment of "all reasonable expenses necessary in the proper and legal conduct" of various district and county offices did not include expenses incurred by the various officers in attending their respective officers' conventions. In this opinion it was said:

"We are unable to find any statutory authority authorizing the commissioners' court to pay the expenses of the above named officers to their respective officers' conventions, and though reasonable in amount, under the statutes referred to, such expenses would not under the authorities cited be 'necessary in the proper and legal conduct of their respective offices.'"

This opinion has been repeatedly followed in subsequent opinions which hold that a county cannot, in the absence of statutory authority, pay the expenses incurred by an officer while attending a convention. Att'y Gen. Ops. 0-2117 (1940), 0-4483 (1942), 0-5275 (1943), 0-5298 (1943), 0-6599 (1945), 0-6920 (1946), and V-738 (1948).

Hon. Sam W. Davis, page 2 (V-1415)

In Attorney General's Opinion 0-5275 (1943), a question almost identical to that presented in your inquiry was asked by the county auditor of Tarrant County. It was there held that the commissioners' court of Tarrant County was not authorized to expend county funds for the purpose of paying expenses of the members of the Tarrant County juvenile department in attending national conventions of juvenile agencies. This holding was based upon a lack of statutory authority for such an expenditure.

The statute involved in Opinion 0-5275 was Article 5142b, V.C.S. The statute here involved is Article 5142a, V.C.S., but we are unable to find any difference in statutory language which would permit the payment of such expenses to members of the probation department of Harris County. It is therefore our opinion that Opinion 0-5275 is applicable to your question.

In view of the foregoing, we agree with your conclusion that the commissioners' court has no authority to defray the expenses of members of the probation department of Harris County in attending national conventions of juvenile agencies.

SUMMARY

The Legislature has not granted the commissioners' court of Harris County the authority to defray expenses of the probation department of Harris County in attending national conventions of juvenile agencies.

Yours very truly,

APPROVED:

J. C. Davis, Jr.  
County Affairs Division

E. Jacobson  
Reviewing Assistant

Charles D. Mathews  
First Assistant

PRICE DANIEL  
Attorney General

By *John Reeves*  
John Reeves  
Assistant

JR:mh