



**THE ATTORNEY GENERAL
OF TEXAS**

AUSTIN 11, TEXAS

**WAGGONER CARR
ATTORNEY GENERAL**

July 23, 1965

Honorable Joe Resweber
County Attorney
Harris County
Houston, Texas

Opinion No. C-468

Re: Compensation of County
Judge of Harris County.

Dear Mr. Resweber:

You have requested an opinion concerning the maximum compensation that may be paid the County Judge of Harris County, in view of the provisions of Article 5139, Vernon's Civil Statutes, and of Section 8 of Article 38831, Vernon's Civil Statutes, as amended by House Bill 595, Acts of the 59th Legislature.

Prior to the enactment of House Bill 595 of the 59th Legislature, the County Judge of Harris County was entitled to a salary of \$18,000 per annum (subdivision (b) of Section 8 of Article 38831, as amended by Chapter 154, Acts of the 57th Legislature, Regular Session, 1961), plus \$1,500 annually for serving as a member of the Juvenile Board (Article 5139, Vernon's Civil Statutes). Attorney General's Opinion V-1207 (1951).

House Bill 595, Acts of the 59th Legislature, amended Section 8 of Article 38831, Vernon's Civil Statutes. Subdivision (b) of Section 8 of Article 38831, as amended, now provides in part:

"The salary of the county judge shall be Eighteen Thousand Dollars (\$18,000) per annum, provided the county judge in such counties shall be allowed, in addition to all other compensation fixed herein, the sum of Three Thousand Dollars (\$3,000) per annum for serving as a member of County Juvenile Board, which shall be paid in twelve (12) equal monthly installments out of the general fund of such county and which additional compensation shall be paid in addition to all other salary or other compensation now paid to such county judge. . . ."
(Emphasis added).

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The underlined portion of the above-quoted provisions applicable to Harris County, was added by the amendment contained in House Bill 595. Thus, the compensation of the County Judge for serving as a member of the Juvenile Board was raised from \$1,500 per annum to \$3,000 per annum, and his salary as County Judge was left at \$18,000 per annum.

Section 2 of House Bill 595 provides:

"All other salary and compensation laws applicable to the officials named in this Act are hereby repealed to the extent that they are in conflict with this Act."

In view of the provisions of Section 2, above-quoted, the compensation of the County Judge of Harris County is governed by the provisions of subdivision (b) of Section 8 of Article 38831, as amended, above-quoted. Likewise, in view of the provisions of Section 2 of House Bill 595, Acts of the 59th Legislature, and the fact that House Bill 595 is the latest expression of the Legislature concerning the compensation of the County Judge of Harris County, you are advised that its provisions will control over the provisions of Article 5139, Vernon's Civil Statutes. Ex parte De Jesus de la O, 227 S.W.2d 212 (Tex.Crim. 1950).

You are therefore advised that the maximum compensation of the County Judge of Harris County for serving as a member of the County Juvenile Board is \$3,000 per annum, and that his total compensation is \$21,000 per annum (\$18,000 plus \$3,000).

S U M M A R Y

The provisions of House Bill 595, Acts of the 59th Legislature, prescribe the compensation of the County Judge of Harris County at \$21,000 per annum (\$18,000 compensation as County Judge plus \$3,000

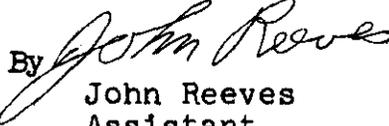
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compensation as member of the County
Juvenile Board).

Yours very truly,

WAGGONER CARR
Attorney General

By 
John Reeves
Assistant

JR:ms:zt

APPROVED:

OPINION COMMITTEE
W. V. Geppert, Chairman

Malcolm L. Quick

W. O. Shultz

Harry Gee

Gordon Zuber

APPROVED FOR THE ATTORNEY GENERAL
BY: T. B. Wright