



**THE ATTORNEY GENERAL
OF TEXAS**

AUSTIN, TEXAS 78711

**JOHN L. HILL
ATTORNEY GENERAL**

April 27, 1973

The Honorable H. J. "Doc" Blanchard
Chairman, Senate Legislative
Property Tax Committee
State Capitol Building
Austin, Texas 78711

Letter Advisory No. 21

Re: Dual Employment

Dear Senator Blanchard:

You have asked our opinion concerning the employment of an individual as a consultant to the Legislative Property Tax Committee, while at the same time employed as your assistant in your Senate office.

In neither of these positions would the person be the occupant of a civil office of emolument and it is our opinion that the prohibition of § 40 of Article 16 of the Constitution does not apply.

Since both positions are in the legislative department there is no problem with the separation of powers required by Article 2, § 1 of the Constitution. No incompatibility between the two positions is apparent to us.

Therefore, it is our opinion that the one person may occupy both positions at the same time and draw salary for each.

Very truly yours,

A handwritten signature in cursive script that reads "John L. Hill".

JOHN L. HILL
Attorney General of Texas

APPROVED:

A handwritten signature in cursive script that reads "Larry F. York".
LARRY F. YORK, First AssistantA handwritten signature in cursive script that reads "David M. Kendall".
DAVID M. KENDALL, Chairman
Opinion Committee