



**THE ATTORNEY GENERAL  
OF TEXAS**

**AUSTIN, TEXAS 78711**

**JOHN L. HILL  
ATTORNEY GENERAL**

June 27, 1974

The Honorable Tom Hanna  
Criminal District Attorney  
Jefferson County  
P. O. Box 2553  
Beaumont, Texas 77704

Opinion No. H- 336

Re: Whether Commissioners  
Court may expend funds for  
creation of service pins.

Dear Mr. Hanna:

You have asked whether the Commissioners Court of Jefferson County can spend county funds to purchase service pins to be awarded to employees of the county. The face of the pin is to consist of a replica of a seal embedded in the floor of the Jefferson County Courthouse, and you also question whether there is any law to prohibit the use of this seal.

Section 18 of Article 5 of the Constitution of Texas creates the commissioners court and authorizes it to "exercise such powers and jurisdiction over all county business, as is conferred by this Constitution and the laws of the State, or as may be hereafter prescribed."

It is now well established that commissioners courts can exercise only such powers as are conferred upon them either by the Constitution or statutes. Canales v. Laughlin, 214 S. W. 2d 451 (Tex. 1948).

We find no statute specifically authorizing the commissioners court to purchase and award pins such as you describe. They are authorized, however, to "fix the amount of compensation, office expense, travel expense, and all other allowances" for most county officers and employees. Article 3912k, V. T. C. S.

In our opinion a pin awarded in recognition of faithful service is "compensation" though not "salary" and it falls within the scope of Art.

3912k, supra. See Attorney General Letter Advisory No. 71 (1973).

We are reinforced in this construction by the provision in Sec. 10, Article V of the General Appropriation Act for 1974-1975 which specifies that service pins might be presented by various state departments and agencies "as compensation." Acts 1973, 63rd Leg., ch. 659, p. 1786, at 2203.

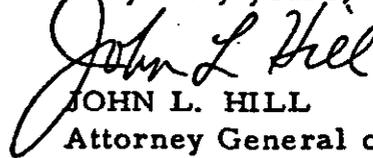
Since your letter indicates that the seal embedded in the floor is not an official seal, we do not think it would be desecrated by its inclusion as part of the pin.

In our opinion, therefore, the commissioners court of Jefferson County may create a service pin to award to its employees and may include in the face of the pin a replica of a seal found in the floor of the county courthouse.

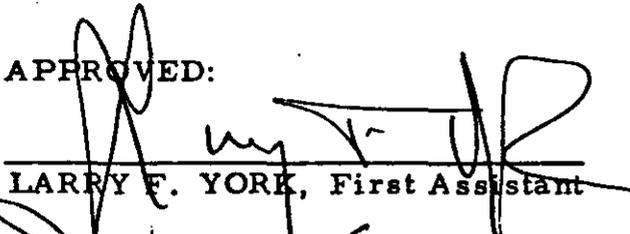
SUMMARY

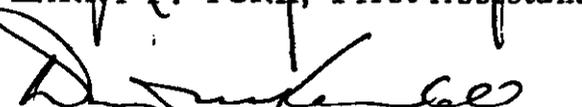
The commissioners court is authorized to expend county funds to purchase a service pin to be awarded to county employees. The pin may include a replica of an unofficial county seal.

Very truly yours,

  
JOHN L. HILL  
Attorney General of Texas

APPROVED:

  
LARRY F. YORK, First Assistant

  
DAVID M. KENDALL, Chairman  
Opinion Committee