



The Attorney General of Texas

September 13, 1978

JOHN L. HILL
Attorney General

Supreme Court Building
P.O. Box 12548
Austin, TX. 78711
512/475-2501

701 Commerce, Suite 200
Dallas, TX. 75202
214/742-8944

4824 Alberta Ave., Suite 160
El Paso, TX. 79905
915/533-3484

723 Main, Suite 610
Houston, TX. 77002
713/228-0701

806 Broadway, Suite 312
Lubbock, TX. 79401
806/747-5238

4313 N. Tenth, Suite F
McAllen, TX. 78501
512/682-4547

200 Main Plaza, Suite 400
San Antonio, TX. 78205
512/225-4191

An Equal Opportunity
Affirmative Action Employer

Honorable Joe Resweber
Harris County Attorney
Harris County Courthouse
Houston, Texas 77002

Opinion No. H-1242

Re: Control of the preparation
of county warrants.

Dear Mr. Resweber:

You ask:

Can the Harris County Commissioners Court assign the preparation of Harris County Flood Control warrants, prior to auditing and final disposition, to either the County Clerk or the Harris County Data Processing Department?

Control of the preparation and processing of county warrants is vested by statute in the County Auditor of Harris County. V.T.C.S. art. 1656a. In counties having a population of 190,000 or more the auditor is to "prescribe the system of accounting for the county and the forms to be used by the District Clerk, the District Attorney and all county and precinct officers . . . in the collection and disbursement of county revenues." He is given power to "adopt and enforce such regulations . . . as he may deem essential to the speedy and proper collection and checking of, and accounting for, the revenues and other funds and fees belonging to the county. . . ." See Attorney General Opinion C-218 (1964).

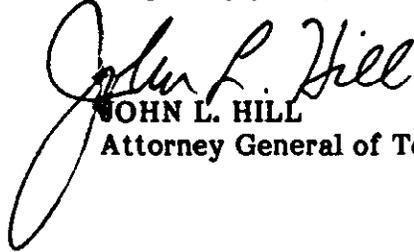
The Harris County Commissioners Court has no authority to assign the preparation of Harris County warrants to any officer or department, since the county auditor has responsibility for the preparation of the warrants. See V.T.C.S. art. 1650. The rule is the same for the preparation of warrants for the Harris County Flood Control District. Article 8280-120, section 8 makes applicable to the district "all existing [s]tate [l]aws . . . applicable to . . . the receipt and disbursement of, and accounting for, public funds in Harris County."

S U M M A R Y

The Commissioners Court of Harris County has no authority to assign the preparation of Harris County or

Harris County Flood Control District warrants to any officer or department, since the county auditor has responsibility for preparation of the warrant.

Very truly yours,



JOHN L. HILL
Attorney General of Texas

APPROVED:


DAVID M. KENDALL, First Assistant
C. ROBERT HEATH, Chairman
Opinion Committee

jsn