



The Attorney General of Texas

March 6, 1981

MARK WHITE
Attorney General

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

1607 Main St., Suite 1400
Dallas, TX. 75201
214/742-8944

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

1220 Dallas Ave., Suite 202
Houston, TX. 77002
713/650-0666

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

4309 N. Tenth, Suite B
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 H. L. Snow
Willacy County Auditor
Courthouse
Raymondville, Texas 78580

Opinion No. MW-297

Re: Whether the county may pay
employees twice monthly

Dear Mr. Snow:

You have asked the following question:

Does the Willacy county auditor have the
authority to pay employees of Willacy County on a
twice-monthly basis?

No statute directs the frequency at which county employees may be
compensated. Article 3912k, V.T.C.S., however, provides in section 1 that:

the commissioners court of each county shall fix the
amount of compensation, office expense, travel
expense, and all other allowances for county and
precinct officials and employees who are paid wholly
from county funds. . . .

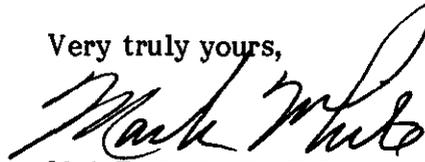
In our opinion, the exclusive authority vested in the commissioners court to
"fix the amount of compensation" implies a concomitant power to fix the
frequency of the payment of such compensation.

In Attorney General Opinion C-792 (1966), this office held that the
Commissioners Court of Dallas County was empowered to determine
whether employees of the county clerk's office could be paid for overtime
work or granted compensatory time therefor. In Attorney General Opinion
MW-136 (1980), we held that the commissioners court could establish
vacation policy as a part of compensation under article 3912k, V.T.C.S. See
also Attorney General Opinion H-860 (1976) (sick leave). Thus, since the
commissioners court has broad authority to establish the manner of the
payment of compensation, we believe that a county is authorized to pay the
salaries of its employees on a twice-monthly basis.

S U M M A R Y

The commissioners court of a county is authorized to direct the payment of the salaries of county employees on a twice-monthly basis.

Very truly yours,



MARK WHITE
Attorney General of Texas

JOHN W. FAINTER, JR.
First Assistant Attorney General

RICHARD E. GRAY III
Executive Assistant Attorney General

Prepared by Rick Gilpin
Assistant Attorney General

APPROVED:
OPINION COMMITTEE

Susan L. Garrison, Chairman
Jon Bible
Walter Davis
Rick Gilpin
Bruce Youngblood