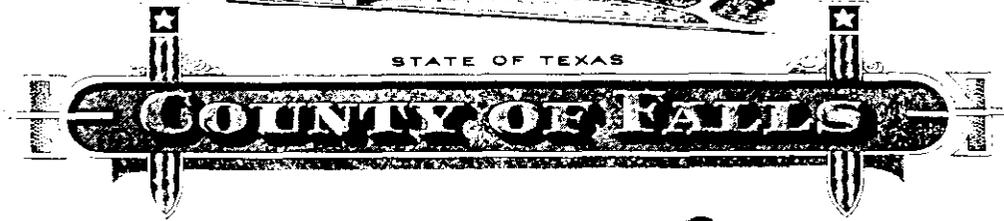
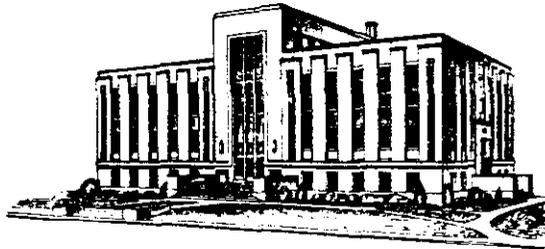


THOMAS B SEHON
DISTRICT ATTORNEY

FALLS COUNTY COURT HOUSE
P. O. BOX 413
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MARLIN, TEXAS

July 23, 1997

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JUL 22 1997

Mr. Dan Morales
Attorney General of Texas
P.O. Box 12548
Austin, TX. 78711
Attention: Opinion Committee

RR-959
FILE # ML-39672-97 Opinion Committee
I.D. # 39672

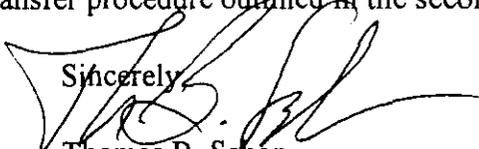
The Falls County depository is Citizens State Bank-Woodville, Marlin Branch. Marlin, Texas, is the county seat.

One Falls County justice of the peace works in Rosebud, Texas, about twenty miles from Marlin. She wishes to deposit her fees, fines, and other money collected on behalf of Falls County in the First National Bank-Cameron, which is located in the city of Rosebud. The justice of the peace proposes to have the money wire-transferred from the Rosebud bank to the county depository in Marlin. The Rosebud bank's fee for each wire transfer is \$15.00. The Rosebud bank did not apply to become the county depository.

The population of Falls County is less than 190,000.

Section 113.022 of the Local Government Code, Section 103.005 of the Texas Code of Criminal Procedure, and your Opinion No. DM-396 would appear to require that the justice of the peace deposit all money collected on behalf of Falls County directly with the county treasurer. In order to save traveling expense, would the wire-transfer procedure outlined in the second paragraph above satisfy statutory requirements?

Sincerely,


Thomas B. Sehon

Falls County District Attorney

TBS:mb

cc: Mrs. Ellen Roberts
Hon. Bishop Williams,
Acting County Judge
Hon. Robert Stem
Mrs. Jeanine Jones