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Opinion Committee

Opinions Committee  
Attorney General of Texas  
P.O. Box 12548  
Austin, Texas 78711-2548


RE: Attorney Generals opinion request

FILE # ML-40924-99  
I.D. # 40924

Dear Gentlemen:

This opinion is requesting interpretation of House Bill 1123 recently passed by the 1999 session of the Texas Legislature. This bill raises the salaries of certain statutory county court at law judges to within one thousand dollars of that salary received by a district judge. However, in Section (e) a county is not required to meet these salary requirements if "not later than September 1 of the year in which the county initially begins collecting fees and costs under Section 51.702, the county increases the salary of each statutory county court judge in the county to an amount that is at least \$28,000.00 more than the salary the judge was entitled to on May 1 of the year the county initially begins collecting fees and costs under Section 51.702." My question is to what date does the word "initially" that is mentioned in Section (e)(1) refer? Is this meant to be the date the county first opted to collect fees and court costs under Section 51.702, Texas Government Code, or is it the option to collect fees that a county must exercise each year after 1995?

I have no legislative history as to the passage of this act and since it is a new statute, there are no court interpretations to my knowledge or other interpretations on the books. Your attention in this matter will be appreciated.

Yours truly,  
  
Edwin E. Powell  
Coryell County Attorney

EEP, Jr./mh

cc. Mr. Ben Roberts  
County Auditor

Ms. Susan Stephens  
County Court at Law Judge