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OPINION COMMITTEE

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January 8, 2004

FILE # ME43415-04
 I.D. # 43415

Greg Abbot
 Office of Attorney General
 Attorney General Opinion Division
 300 W 15th St, Suite 205
 Austin, Texas 78711-2548

RQ-0160-GA

FAX: 512/476-2653

RE: Whether a County Judge when temporarily suspended with pay is entitled to full salary. Whether a Constable and Deputy constable when temporarily suspended are entitled to car allowance.

Dear Sirs:

This is a request for an Attorney General Opinion as whether a County Judge who receives the State supplements for Misdemeanor Court is entitled to his full pay when temporarily suspended with pay by the State Judicial Commission. The question has been raised whether the State supplement payment for misdemeanor court should continue to be paid. The County Auditor asked the Judicial Commission and they suggested that a request for an Attorney General's Opinion be made.

In addition an inquiry has been made as to whether or not a car allowance should be paid when a Constable and his Deputies are temporarily suspended with pay by a District Judge under Section 87. of the Local Government Code.

Please do not hesitate to call if you need any additional information to give an opinion on the above two inquiries.

Very truly yours,

A handwritten signature in black ink, appearing to read 'Mark E. Price', written in a cursive style.

Mark E. Price
Criminal District Attorney

MEP/dll

Cc: Ray Stelly, San Jacinto County Auditor
San Jacinto County Judge's Office
Commissioner James Hill Pct 1
Commissioner Bill Hamzy Pct 2
Commissioner Thomas Bonds Pct 3
Commissioner Joe Johnson Pct 4