

OFFICE OF THE ATTORNEY GENERAL



79-00207

File #173

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STATE OF ALABAMA

MAY 24 1979

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Honorable Glenn M. Smitherman
Sheriff of Bibb County
Centreville, Alabama 35042

Bibb County-Sheriff-Salary and
Expense Allowance

The Sheriff of Bibb County is
entitled to a monthly expense
allowance of \$200.

Dear Sheriff Smitherman:

This letter is in response to your letter of January 17, 1979, asking if Act No. 538, Acts of Alabama 1978, p. 596 repealed the expense allowance for the Bibb County Sheriff provided by Act No. 676, Acts of Alabama 1977, p. 1166. The answer to your question is in the negative.

Act No. 538, supra, amended Section 36-22-16(b) of the Code of Alabama 1975, providing as follows with respect to each Sheriff's salary, fees, allowances, etc.:

"...(b) Such salary shall be in lieu of all fees, compensation, allowances, percentages, charges and costs, except as otherwise provided by law. ..." (emphasis added)

Act No. 676, supra, provides in pertinent part:

"Section 4. ...the Sheriff of Bibb County shall receive a \$200 per month expense

Sheriff Smitherman
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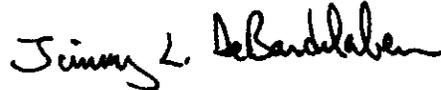
allowance which shall be payable from the
County Treasury."

Therefore, it is my opinion that the Sheriff of Bibb County is
entitled to the \$200 per month expense allowance provided by Act No.
676, supra.

If this office can be of any further assistance, please do not
hesitate to contact us.

Very truly yours,

CHARLES A. GRADDICK
Attorney General
By-



JIMMY L. DEBARDELABEN
Assistant Attorney General