

April 11, 1933.

Mr. C. S. Fox,
Superintendent of Schools,
Gilbert, Arizona.

Dear Sir;

You have requested the opinion of the Attorney General as to whether or not it would be illegal to pay any warrants covering a school deficit with funds received from State and County apportionment for the following year, until after eight months of school had been maintained in the district, and as to whether or not such a deficit would have to be made up through a special levy against the district.

Please be advised that it is the opinion of the Attorney General that warrants covering a school deficit issued prior to the current school year, cannot be paid with funds received from the State and County apportionment for the current year, until after eight months of school have been maintained in the district. If there is a surplus in the fund after the expenses for the current school year have been paid, then warrants covering a deficit for the preceding year may be taken up in the order of their registration. Any moneys received by the County Treasurer during the current year as the result of a special district levy, is available immediately to take up warrants covering a deficit for the preceding year. A deficit occurring in a school district in any year may be made up by a special levy against the district.

Very truly yours,

Attorney General,

By

Assistant Attorney General.

JRM:MD

33-141