

April 22, 1933.

Mr. Hugh Callahan,
City Assessor,
Phoenix, Arizona.

Dear Mr. Callahan:

The Attorney General has received your letter of April 19th in which you have requested his opinion as to your status as a member of the State Legislature, after having been appointed assessor of the City of Phoenix.

Section 4, Part 2, Article IV, of the Constitution of Arizona, provides as follows:

"No person holding any public office of profit or trust under the authority of the United States, or of this State, shall be a member of the Legislature; Provided, that appointments in the State militia and the offices of notary public, justice of the peace, United States commissioner, and postmaster of the fourth class, shall not work disqualification for membership within the meaning of this section."

It is the opinion of the Attorney General that by reason of your acceptance of the appointment as assessor for the City of Phoenix, you have automatically forfeited your membership in the Legislature of the State of Arizona.

Very truly yours,

Attorney General,

By

Assistant Attorney General.

JRM:MD

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