



Attorney General

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Phoenix, Arizona 85007

Robert R. Corbin

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ARIZONA ATTORNEY GENERAL

January 13, 1986

The Honorable Steven P. Suskin
La Paz County Attorney
Post Office Box 709
Parker, AZ 85344

Re: 186-007 (R85-157)

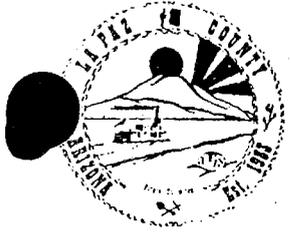
Dear Mr. Suskin:

Pursuant to A.R.S. § 15-253(B), this office declines to review your opinion dated November 12, 1985 to the Superintendent of the Bicentennial Union High School District, in which your office concluded that monies refunded to a group of school districts which obtained insurance through an intergovernmental agreement should be distributed to the contributing school districts proportionally.

Sincerely,

BOB CORBIN
Attorney General

BC:DTF:lfc



OFFICE OF THE
La Paz County Attorney
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STEVEN F. SUSKIN
 LA PAZ COUNTY ATTORNEY

Rec'd 11/18/85

R85-157

Assigned: Dennis Fenwick

MEMORANDUM

TO: Richard Imhoff, Superintendent
 Bicentennial Union High School District

FROM: Nancy J. Grohs
 Deputy County Attorney

DATE: November 12, 1985

RE: Intergovernmental Agreement/Insurance Premium Fund

EDUCATION OPINION
 ISSUE NO LATER THAN
1-17-86

You have requested an opinion regarding the appropriate distribution and use of certain monies originally retained for insurance premium payments pursuant to an intergovernmental agreement between the contributing school districts.

It is our understanding, based upon information that you have provided to this office, that excess funds have accumulated and are now due to be refunded on a proportionate basis to the various districts.

A.R.S. Sec. 15-386, effective as of April 19, 1985, provides as follows:

15-386. Insurance refund fund

A. Monies retained for insurance premium payments which are refunded to a school district at the end of a fiscal year by an insurer with which the governing board contracted for that fiscal year may be deposited with the county treasurer who shall credit the deposits to the insurance refund fund of the district.

Richard Imhoff
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November 12, 1985

B. The insurance refund fund of a school district is a continuing fund not subject to reversion. Monies from the insurance refund fund may:

1. Be expended for insurance premium payments.

2. Be placed into a trust to be used for payments of uninsured losses, claims, defense costs and other related expenses as provided in Sec. 15-382.

3. Be used for reduction of taxes in the budget year.

(Emphasis supplied)

Accordingly, refunds to the contributing districts would be available for any of the three alternative purposes defined in A.R.S. Sec. 15-386(B).

A copy of this opinion will be sent to the Attorney General for review pursuant to A.R.S. Sec. 15-253. If no action is taken by that office within sixty (60) days, this opinion will be deemed confirmed.

If you have any further questions on this matter, please do not hesitate to contact me.

/jct

cc: Attorney General ✓
Gearan Harris