

GARY K. NELSON, THE ATTORNEY GENERAL
STATE CAPITOL
PHOENIX, ARIZONA

June 6, 1973

DEPARTMENT OF LAW LETTER OPINION NO. 73-23-L (R-34)

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REQUESTED BY: JAMES A. VIVIAN
Registrar of Contractors

QUESTION: Must either a surety bond or a cash deposit
accompany each and every license issued by
the Registrar of Contractors?

ANSWER: Yes.

We have reviewed the provisions of Chapter 10, Title 32, Arizona Revised Statutes, relating to surety bonds and cash deposits. On the basis of such review, it is our opinion that either a surety bond or cash deposit must accompany each and every license issued by the Registrar of Contractors. In other words, the Registrar may not accept, lawfully, a single bond in connection with the issuance of two or more licenses.

We think our opinion is compelled by a plain reading of the applicable statutory provisions. However, in addition, we think that the practical considerations of a contrary opinion likewise compel the opinion expressed herein (e.g., handling by a surety and the State Treasurer of a surety bond and a cash deposit, respectively. If only one of many licenses covered by a "blanket" bond were to expire, what portion of the surety bond or cash deposit is connected with the expired license?).

Respectfully submitted,



GARY K. NELSON
The Attorney General

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