

**Opinion No. 53-5800**

August 20, 1953

**BY:** RICHARD H. ROBINSON, Attorney General

**TO:** Mr. Edward M. Hartman State Comptroller Santa Fe, New Mexico

{\*208} In your letter dated August 12, 1953, you state that the 1953 Legislature repealed Section 76-1407 of the 1941 Compilation, making provisions for the use of tax tokens and authorizing monies collected to be used for establishing a Tax Token Revolving Fund. Although the section was repealed, no provision was made for the disposition of the balance remaining in the fund of \$ 18,602.06. You inquire whether this balance may be transferred into the School Tax Receipts to be distributed with current receipts.

Since the Fund originally was created out of School Tax Receipts, and there is no longer any need for keeping a separate Tax Token Revolving Fund, it is our opinion that this balance should be transferred back to the Fund from which it was originally obtained and distributed with current School Tax Receipts.

I am returning herewith the letter from Mr. Ortiz y Pino which was {\*209} enclosed with your request.

By: C. C. McCulloh

Assist. Attorney General