

**Opinion No. 17-1993**

May 29, 1917

**BY:** HARRY L. PATTON, Attorney General

**TO:** Mr. Lytton R. Taylor, Attorney, Las Cruces, New Mexico.

County Officer Who Served the First Five Years of Statehood Not Eligible During the Succeeding Two Years

**OPINION**

I am in receipt of your letter of the 26th instant, in which you state that a county officer holds office from 1911 to 1916, and is now holding for the present term. You ask whether or not he is eligible to succeed himself for the next term of office. Section 2, Article 10 of the Constitution is as follows:

"All county officers shall be elected for a term of two years, and after having served two consecutive terms shall be ineligible to hold any county office for two years thereafter."

The section quoted is an amendment to the Constitution, adopted in 1914. The original section provided for a term of four years, and that no county officer, except the clerk and probate judge, shall be eligible to succeed themselves.

In my opinion a county officer who served the first five years and succeeded himself during the present term of office, has served two consecutive terms and he is ineligible to hold any county office during the succeeding two years.