

Opinion No. 21-2785

January 14, 1921

BY: HARRY S. BOWMAN, Attorney General

TO: Mr. John V. Conway, Superintendent Public Instruction, Capitol Building.

Authority County Boards of Education to Borrow Money to Pay Warrants School Teachers.

OPINION

{*18} I have your letter of the 13th instant, asking if County Boards of Education have authority to borrow money with which to pay the warrants for salaries of school teachers in cases where there is not sufficient money in the treasury to pay such warrants to the teachers who are compelled to discount their warrants in order to obtain the money thereon.

In our opinion there is no prohibition or objection to the borrowing money by County Boards of Education for the above purpose, so long as such boards do not exceed the limitations prescribed by law for their expenditures for the year, and keep themselves within the amount named in the budgets filed by such board.

Section 1227, Code 1915, prohibits the expenditure of more funds in one year by any public board than are to be raised by taxation or other source of income for that year, and this, together with the limitations of the budget, would be the only limit upon County Boards of Education in the matter of the borrowing of money for the payment of salaries of school teachers.