

## Opinion No. 21-3090

August 19, 1921

**TO:** Honorable George H. Besinger, Chairman, Board of County Commissioners, Hillsboro, New Mexico.

### **Qualification of County Officer to Accept Appointment to Office After Serving Two Terms.**

#### **OPINION**

{\*84} In reply to your verbal request for an opinion regarding the qualification of a person who has served two complete terms as County Assessor to be appointed to the office of County Assessor, in view of the resignation of the Assessor recently holding the office, I would advise you as follows:

Section 2 of Article X of the Constitution provides 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."

{\*85} You will note from the language quoted that a person who has served two consecutive terms as a county officer is disqualified from **holding** any county office for a period of two years thereafter. There is no question concerning the meaning and intent of this language. No officer who has served two consecutive terms can hold any county office, whether by election or appointment, and, therefore, we are compelled to advise you that a person who has held the office of Assessor for two consecutive terms may not now qualify as Assessor by appointment of your Board, and may not qualify in future until after the expiration of two years.