

**Opinion No. 39-3222**

July 27, 1939

**BY:** FILO M. SEDILLO, Attorney General

**TO:** Mr. Rex French, State Treasurer, Santa Fe, New Mexico.

{\*87} I have your letter of July 21 requesting an opinion with respect to Section 9, Chapter 203 of the Laws of 1939.

{\*88} This section of the statute requires the segregation by the treasurer of monies belonging to the state and monies belonging to the county, districts and municipalities, and that which belongs to the state must be transmitted to the state in all events. That portion of the statute permitting the use of tax sale funds for the payment of outstanding debts for prior years, refers only to monies belonging to the county, and the county treasurer cannot use any of the state funds to pay outstanding debts in the county.

By: A. M. FERNANDEZ,

Asst. Atty. Gen.