

Opinion No. 45-4742

June 29, 1945

BY: C. C. McCULLOH, Attorney General

TO: Dr. James R. Scott, Director Department of Public Health Santa Fe, New Mexico

{*96} We are in receipt of your letter of June 27, 1945 in which you ask our opinion as to whether the county health department having offices in a county court house must provide a key to its office to the county Sheriff.

Nowhere in our statutes are the Sheriffs given custody over any county property except the custody of common jails (Section 45-201 of the 1945 Compilation). The general control over county property is granted to the county commissioners by Sections 15-3512, 15-3513, and 15-3514 of the 1941 Compilation. Under these statutes, the county commissioners would have the right to make reasonable rules and regulations governing the use of county property. However, the specific control over the county health office is vested in the District Health Office.

I see no more justification in requiring the District Health office to turn over a key to its premises than in requiring the county treasurer or county clerk to do such.

By ROBERT W. WARD,

Asst. Atty. General