

**Opinion No. 46-4892**

April 23, 1946

**BY:** C. C. McCULLOH, Attorney General

**TO:** G. T. Watts District Attorney Fifth Judicial District Roswell, New Mexico

{\*220} We are in receipt of your letter of April 20, 1946, in which you ask whether a school district can issue bonds for the purpose of installing heating systems and otherwise improving the facilities in existing structures.

{\*221} Article 9, Section 11 of the Constitution provides that no school district shall borrow money except for the purpose of erecting and furnishing school buildings or purchasing school grounds.

Section 55-720 of the 1941 Compilation authorizes school districts to issue bonds for the purpose of erecting school buildings and purchase of school grounds.

In view of the fact that no provision is made for modernizing existing school buildings, it is my opinion that school districts may not issue bonds for such purpose.

By ROBERT W. WARD,

Asst. Atty. General