

88.

APPROVAL, BONDS OF MEDINA VILLAGE SCHOOL DISTRICT, MEDINA COUNTY, \$220,000, TO ERECT A FIREPROOF SCHOOL BUILDING.

COLUMBUS, OHIO, February 20, 1923.

Department of Industrial Relations, Industrial Commission of Ohio, Columbus, Ohio.

89.

SCHOOLS—DISSOLUTION OF DISTRICT—BONDED INDEBTEDNESS IS CHARGE UPON PROPERTY OF DISTRICT CREATING IT—PROCEEDS OF BOND ISSUE CANNOT BE TRANSFERRED TO NEWLY CREATED DISTRICT—SPECIAL THREE MILL LEVY OF DISSOLVING DISTRICT SHOULD BE DISCONTINUED.

SYLLABUS:

1. Existing bonded indebtedness of a school district is a charge upon the property only of the district creating it and may not become a charge upon the property of the district formed by the dissolution of a rural district and its joining to another rural district under the provisions of sections 4735-1 and 4735-2, General Code.
2. If the tax levy for the payment of such bonded indebtedness has not been made by the board of education of the rural district dissolved, said district as a separate taxing district, and its board of education as its taxing authority, must continue for the purpose of levying a tax for the payment of such indebtedness.
3. Where part of such bonded indebtedness is an issue of bonds for building fund purposes and a large amount of the proceeds of such bonds remain in the building fund of the dissolved district, such surplus cannot be transferred to or used by the board of education of the newly created district for any purpose and should, under the provisions of section 5654 G. C., be transferred to the sinking fund of the district about to be dissolved.
4. Where the rural district voting to dissolve has in effect a special three mill levy for a period of five years, such three mill levy should be discontinued and in any event, in view of the provisions of section 5654, could not be used by the board of education of the newly created district.

COLUMBUS, OHIO, February 21, 1923.

Bureau of Inspection and Supervision of Public Offices, Columbus, Ohio.

GENTLEMEN:—Yours of recent date received in which you submit for an opinion the following statement of facts and questions:

“By a vote of the people in Van Buren Special School District No. 8, under section 4735-1 G. C., the district was dissolved. This would mean that Van Buren township school district would now take over what was once Van Buren Special School District No. 8.