

1639.

DISAPPROVAL, BONDS OF PLAINS RURAL SCHOOL DISTRICT,
ATHENS COUNTY, \$22,000.00.

COLUMBUS, OHIO, July 29, 1924.

Retirement Board, State Teachers Retirement System, Columbus, Ohio.

Gentlemen:—

Re: Bonds of Plains Rural School District, Athens County, \$22,000.00.

I have examined the transcript furnished this department covering the foregoing issue of bonds in the original amount of \$40,000.00, a portion of which has been purchased by you, subject to approval by this department.

I beg to inform you that I cannot advise the purchase of these bonds for the following reasons:

The resolution providing for this issue of bonds was passed on April 11, 1922, and provided that the bonds shall be dated as of the date of sale.

The Griswold Act, which went into effect in 1921, provided in section 2295-12, General Code, as follows:

“All bonds hereafter issued by any county, municipality, including charter municipalities, school districts, township or other political subdivision, shall be serial bonds maturing in substantially equal *annual installments* beginning not earlier than the date fixed by law for the final tax settlement between the county treasurer and the political subdivision or taxing district next following the inclusion of a tax for such issue in the annual budget by the county auditor as provided by law and not later than eleven months thereafter.”

This law was in effect at the time of the passage of the legislation by the school officials in this district providing for this issue of bonds.

The bond resolution provides for maturities of the bonds in semi-annual installments payable on April 1st and October 1st of each year. This is not in accordance with the provisions of the law above quoted. It is true that section 2295-12, General Code, was amended in 110 O. L., 459, in this respect to read as follows:

“All bonds hereafter issued by any county, municipality, including charter municipalities, school district, township or other political subdivision, shall be serial bonds maturing in substantially equal *semi-annual or annual installments*. * * *”

However, this law did not go into effect until 1923. It contained no provision that could effect this issue in 1922.

In view of the fact that these bonds have not been issued in accordance with the provisions of the statute at the time of issue and delivery, I therefore advise the Retirement Board to refuse to accept said bonds.

Respectfully,

C. C. CRABBE,

Attorney General.