

3269.

DISAPPROVAL, REFUNDING BONDS OF KALIDA RURAL SCHOOL DISTRICT, PUTNAM COUNTY, \$10,000.

COLUMBUS, OHIO, June 26, 1922.

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

Re: Refunding bonds of Kalida rural school district, Putnam county, \$10,000.

GENTLEMEN:—The resolution authorizing the issuance of the above bonds, copy of which is included in the transcript submitted for examination, discloses that the first bond of the series does not mature until April 1, 1932. This is contrary to the mandatory provisions of section 14 of the Griswold act, 109 Ohio Laws, 336, which provides:

“All bonds hereafter issued by any * * * school district * * * 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.”

In order to meet the provisions of this law the first bond of the series should mature not later than eleven months after the final tax settlement for taxes levied on the 1922 duplicate, which settlement occurs in August, 1923.

I note also that the transcript fails to show that the board of education by formal resolution, as required by section 5658 G. C., has determined that such indebtedness to be refunded is an existing, valid and binding obligation of such school district. The passage of such a resolution and the inclusion of such a finding in the bond resolution is essential to the authority of the board of education to authorize the issuance of bonds under section 5656 G. C.

There are other defects and lack of information in the transcript which could possibly be supplied, but in view of the failure to comply with the law above quoted it would be useless to attempt correction.

I am therefore of the opinion that said bonds are not valid and binding obligations of Kalida rural school district and advise the Commission not to purchase the same.

Respectfully,
JOHN G. PRICE,
Attorney-General.

3270.

APPROVAL, BONDS OF CHATHAM TOWNSHIP RURAL SCHOOL DISTRICT, MEDINA COUNTY, \$7,000.

COLUMBUS, OHIO, June 26, 1922.

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