

Opinion No. 52-5622

December 17, 1952

BY: JOE L. MARTINEZ, Attorney General

TO: Mr. Abner Schreiber Assistant District Attorney P. O. Box 800 Los Alamos, New Mexico

{*334} This is in reply to your letter dated December 13, 1952, in which you request an opinion as to whether it would be legal for Los Alamos County to secure a blanket bond for all of the county officials rather than individual bonds for each one.

The requirements of the several statutes as to bonding of county officials are as follows:

Section 15-3506, N.M.S.A., 1941 Compilation provides that each County Commissioner should furnish a bond to the State in the amount of \$ 5,000.00 each;

{*335} Section 15-3602, N.M.S.A., 1941 Compilation provides that the County Assessor in each county should furnish the State of New Mexico a bond of \$ 5,000.00;

Section 15-3702, N.M.S.A., 1941 Compilation provides that the County Clerk in each of the counties of the state should furnish a bond of \$ 10,000.00;

Section 15-3803, N.M.S.A., 1941 Compilation provides that the County Sheriff in each of the counties of the state should furnish a bond of \$ 3,000.00;

Section 15-3901, N.M.S.A., 1941 Compilation provides that the County surveyor in each of the counties of the state should furnish a bond of \$ 5,000.00;

Section 15-401, N.M.S.A., 1941 Compilation provides that the School Superintendent in each of the counties of the state should furnish a bond of \$ 2,000.00;

Section 16-403, N.M.S.A., 1941 Compilation provides that the Probate Judge in each of the counties of the state should furnish a bond of \$ 5,000.00. The Board of County Commissioners in each of the counties may require higher bond if they deem it necessary.

The requirements of the statutes may be satisfied when qualified sureties and the principals are bonded to the state for the sums required by the statutes. However, the only pronouncement I can make is that if each of these county officials hereinabove mentioned agree to be bonded as principals under a blanket bond which make specific provisions for each office and in the amount prescribed by statute for each office, such a blanket bond might be permissible and legal, but before declaring it such, the bond must be presented to this office for examination as to substance and form.