

Opinion No. [30-10]

February 28, 1930

BY: M. A. OTERO, JR., Attorney General

TO: Mr. Roy H. Smith, Secretary, Quay County Republican Central Committee, Tucumcari, New Mexico.

COUNTY OFFICERS -- Eligibility, Sec. 2, Art. X, Const.

OPINION

I am just in receipt of your favor of the 26th inst. reading as follows:

"Kindly advise if there is any way a county office that has served two terms (four years) in succession can be a candidate for some other county office. In other words can a county commissioner who has served four years be a candidate for sheriff?"

In reply thereto will state that this matter is governed by section 2 of Article X of our Constitution, which reads that,

"All county officers shall be elected for a term of two years, and after having served two consecutive terms, shall be ineligible to hold any county office for two years thereafter."

From the foregoing you can see the complete answer to your question; a county commissioner who has served two consecutive terms cannot be a candidate for sheriff nor can he hold any other county office until two years have expired.

Trusting the foregoing gives you the information you desire and with kindest personal regards, believe me