

Board of County Commissioners, Authority to Refund Liquor Licenses.

There is no authorization in the law for a board of county commissioners to refund money paid for liquor licenses.

August 22, 1910.

Mr. Hugh C. Kennedy,
County Treasurer,
Missoula, Montana.

Dear Sir:—

By telephone today you asked an opinion of this office, on a question relating to the refunding of liquor licenses, it appearing that County Attorney, E. C. Mulroney is now out of the state. The question presented is as follows:

“Can the board of county commissioners authorizes the refunding of liquor licenses, paid by certain liquor dealers in advance, it appearing that their places of business have been destroyed in consequence of forest fires before they have received full benefit of the license?”

I have examined the law and find no authority whatsoever for the making of such refund and therefore advise you that the board of county commissioners has not the power or authority to direct any such refunding moneys paid for liquor licenses. The licensees may possibly be able to transfer their license to other individuals and thus receive consideration for such an asset.

Note:—Answered by telephone and reduced to writing simply for purpose of office record.

Yours very truly,
ALBERT J. GALEN,
Attorney General