

County, Responsible for Expenses Incurred in Preventing Spread of Disease. Cities, Responsible for Certain Expenses in Preventing Spread of Disease. Quarantine, Cost Of, How Paid.

Under the provisions of Chapter 117, Session Laws of 1909, the county is responsible for all expenses incurred by it in preventing the spread of communicable diseases, except as to residents of cities or towns who are not paupers, which expense shall be paid from the general fund of the county upon itemized and certified account duly presented.

October 24, 1911.

Board of County Commissioners,
Fort Benton, Montana.

Gentlemen:

I am in receipt of your letter of October 2nd, signed by the county clerk, requesting my official opinion as to whether or not the county is required to pay expenses of fumigation and medical attendance incurred by it in quarantining persons, not paupers, in contagious diseases.

Under the provisions of Chap. 117, Session Laws of 1909, providing

for the expenses of counties, cities, and towns in caring for persons afflicted with communicable diseases: "The city or town shall be liable for all expenses incurred with reference to residents of such city or town, except paupers and the county shall be liable for all expenses incurred with reference to persons who are not residents of such city or town; provided, that persons who are merely sojourning in such city or town, or delayed by the authorities, or transients therein, or temporarily stopping therein without employment shall not be deemed residents of such city or town. The county shall be liable for all expenses necessarily incurred by any local board of health with respect to any person not a resident of the city or town and the city shall be liable for all expenses necessarily incurred by any county board of health with reference to any person except paupers who is a resident of such city or town. No county, city or town shall escape any such liability for such expenses by transporting any person infected with, or known to have been exposed to, any communicable disease to any other county, city or town, or by persuading or inducing such person to go to such other city or town, or county."

Under the provisions of this Chapter, the county is responsible for all expenses incurred by it in preventing the spread of communicable diseases except as to residents of a city or town who are not paupers, which expense shall be paid from the general fund of the county on presentation of an itemized and verified account.

Yours very truly,

ALBERT J. GALEN,

Attorney General.