

Opinion No. 45**Counties—Official Bonds—Premiums—
County Commissioners.**

HELD: It is mandatory upon the board of county commissioners to pay the premium on official bonds out of the county funds where the bonds are required by statute.

January 26, 1933.

We acknowledge receipt of yours of the 25th desiring an opinion from this office as to whether a board of county commissioners may refuse in its discretion to pay the premium on the official bond where the surety on such official bond is a surety company which charges a premium on such bond.

Section 2636, R. C. M. 1921, as amended by Chapter 145, Laws of 1923, providing that where such officer shall furnish a surety bond the premium therefor shall be a proper charge against the general fund of the state, county or city as the case may be, makes it mandatory upon the board of county commissioners to pay the premium on official bonds out of county funds where the bonds are required by the statute.