

In Re:--School Districts--Limit of levy for maintenance.
Constitution, Sec.11, Article X.

April 7th, 1933



Hon. E. L. Sutherland,
House of Representatives
Jefferson City, Missouri.

Dear Mr. Sutherland:-

I In response to your oral request for an opinion on the paragraph of an "Annual School Meeting" notice, reading as follows:

"A levy of one dollar on the one hundred dollars assessed valuation for the maintenance of a nine month's school."

I advise you as follows:

The constitutional limitation on the amount of taxes leviable for school purposes is found in Section 11 of Article X, Constitution of Missouri. The pertinent parts of such section read as follows:

"Taxes* * * for school purposes in districts composed of cities * * * and in other districts forty cents on the hundred dollars valuation: Provided, the aforesaid annual rates for school purposes may be increased, in districts formed of cities and towns, to an amount not to exceed one dollar on the hundred dollars valuation, and in other districts to an amount not to exceed sixty-five cents on the hundred dollars valuation, on a condition that a majority of the voters who are tax-payers, voting at an election held to decide the question, vote for said increase."

The notice clearly states that the proposed increase is "for the maintenance" of the school. Accordingly, if your district is "formed of cities or towns", the limit is one dollar on the one hundred dollars assessed valuation. If an "other district", sixty-five cents would be the limit.

Hon. E. L. Sutherland

-8-

April 7th, 1938

This is a proper proposal to be submitted to the tax-payers of the District under Sections 9225, 9233 and 9234, U. S. of Mo. 1929.

I trust that this fully answers your inquiry.

Respectfully submitted,

HARRY G. WALTERS, Jr.,
Assistant Attorney General

HGW/mh

APPROVED: _____
ROY McKITTRICK
AttorneyGeneral.