

December 8, 1961



Honorable Milton Carpenter  
State Treasurer  
State Capitol  
Jefferson City, Missouri

Attention: M. G. Lindsey, Chief Clerk

Dear Sir:

This refers to your letter of June 18, 1961, and subsequent consultation between Mr. Lindsey and Mr. Baumann, concerning checks drawn on accounts administered by you as trustee.

Your letter contained a general inquiry as to the statutes governing such checks. However, it is our understanding that your specific question at this time is whether checks drawn on trust accounts are governed by the following provisions of Section 30.200, RSMo 1959:

"Outstanding checks or drafts drawn by the treasurer, if not presented for payment within one year from the date of issuance, shall be void and the state treasurer shall print or cause to be printed upon all checks, drafts or evidence of payment due, the following:

'If not presented for payment within one year from the date of issuance, this . . . . .  
(insert draft or check, etc.)  
shall be void.' "

You mentioned particularly checks drawn on the account, "Milton Carpenter, State Treasurer, Trustee of the Old Age and Survivors Insurance Contributions," which have been outstanding more than one year. It is our understanding that

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in the past the statement concerning checks being void after one year has not been printed on such checks and checks drawn on other trust accounts.

This is to advise you that it is our opinion that the above-quoted provisions of Section 30.200 are not applicable to checks drawn on trust accounts. We do not deem it necessary to undertake a detailed discussion of the question, but it may be noted that moneys could not properly be transferred from the trust accounts to general revenue in accordance with other provisions of Section 30.200 governing checks which are outstanding more than one year.

Very truly yours,

THOMAS F. EAGLETON  
Attorney General

JCB lc