

Opinion request No. 113
answered by letter (Northcutt)

February 28, 1963



Honorable Stephen H. Zeilmann
Member, House of Representatives
Osage County
House Post Office
Jefferson City, Missouri

Dear Mr. Zeilmann:

We have received your request for an opinion dated February 21, 1963, which reads, in part, as follows:

- "1. Does the term of office expire on March 1, or the first Monday in March?
- "2. Does the newly elected county collector take over his duties on March 1, or the first Monday in March?
- "3. What is the final date for the present county collector to cease collecting taxes?"

In regard to your first question as to the expiration of the terms of county collectors, Section 52.015, RSMo 1959, provides that the term of office of the county collector shall expire the first Monday in March.

In answer to question No. 2, as to when the newly elected county collector assumes his duties, he also will assume his duties on the first Monday in March, at which time the past county collector would turn over to him all accounts, records and other items pertaining to the office.

In your third question you ask what is the final date for the present county collector to cease collecting taxes.

Honorable Stephen H. Zeilmann -2- February 28, 1963

There is no provision in Chapter 52 pertaining to county collectors for them to cease collecting taxes at any specific time, therefore it is believed by this office that the final date for the collector to cease collecting taxes would be at the close of business hours on the final business day previous to his turning over the office to the newly elected and qualified county collector.

Very truly yours,

THOMAS F. EAGLETON
Attorney General

ERN:sr