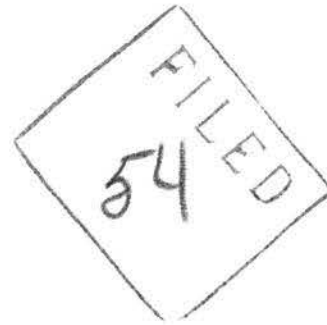


February 28, 1969



Opinion No. 54
Answered by letter-Mansur

Honorable John H. Mittendorf
Assistant Prosecuting Attorney
Franklin County Court House
Union, Missouri 63084

Dear Mr. Mittendorf:

This is in response to your letter requesting an opinion from this office on whether a director who was duly elected and qualified as a director of a hospital district becomes disqualified by changing his residence from the hospital district from which he was originally elected.

We are enclosing herewith a copy of an opinion issued by this office on December 30, 1965, to Honorable William Pickle, Representative of Platte County, Missouri House of Representatives, in which it was ruled that when a director of a water district moves outside of the district from which he was elected or appointed with intent to permanently reside outside of the district he forfeits his office.

The residence requirements for a director of a water district under Section 247.040, RSMo., are similar to the requirements for a director of a hospital district under Section 206.090, RSMo., Supp. We believe the same principles of law which are discussed in the enclosed opinion regarding a director of a water district apply to a director of a hospital district and the same conclusion should be reached.

Honorable John H. Kittendorf

It is our opinion that when a duly elected director of a hospital district changes his residence from the hospital district with the intent to permanently reside outside the district he thereby forfeits his office as director of the hospital district.

Yours very truly,

JOHN C. DANFORTH
Attorney General

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