



OFFICES OF THE

ATTORNEY GENERAL OF MISSOURI

JEFFERSON CITY

March 5, 1974

JOHN C. DANFORTH
ATTORNEY GENERAL

OPINION LETTER NO. 147

Honorable Harold Dickson
Representative, District 112
Room 202G, Capitol Building
Jefferson City, Missouri 65101

Dear Representative Dickson:

This letter is in answer to your question which asks:

"When a school election is held in conjunction with municipal elections under provisions of Section 162.071, RSMo, what public officer or officers should retain custody of the ballots after the ballots have been counted."

We enclose Opinion No. 210 dated June 2, 1970, to Gilmore, which is self-explanatory. We believe that the reasoning in that opinion is applicable in the premises and that the county clerk is to have custody of the ballots after the ballots have been counted in accordance with Section 111.581, RSMo, which is quoted on pages 5-6 of said opinion.

We caution you, however, that there may be special statutes which govern in particular instances, such as Section 162.561, RSMo, relative to urban school district special elections, which expressly provides that in such elections the ballots shall be sealed, packaged and delivered to the secretary of the board of directors of the urban district where they shall be safely preserved.

Very truly yours,

A handwritten signature in cursive script that reads "John C. Danforth".

JOHN C. DANFORTH
Attorney General

Enclosure: Op. No. 210
6-2-70, Gilmore