

FILE

Subject Township  
Officers  
Copy to \_\_\_\_\_  
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STATE OF KANSAS

*Office of the Attorney General*

State Capitol Bldg. (913) 296-2215 Topeka, Kansas 66612

VERN MILLER  
Attorney General

October 15, 1974

Opinion No. 74- 342

Mr. Ron Svaty  
P. O. Box 83  
Ellsworth, Kansas 67439

Dear Mr. Svaty:

You inquire whether a person who has been a township officer may continue to serve in that capacity when that person moves out of the township.

K.S.A. 80-202 states thus:

"Every person elected to the office of trustee, clerk, treasurer, or constable or any township, or road overseer of any road district, shall be an elector of said township or road district at the time of his election....; and in case any of such officers shall become nonresidents of their respective townships or road districts, their offices shall at once become vacant." [Emphasis supplied.]

Thus, removal from the township results in an immediate vacancy in the office held by such person.

The vacancy shall be filled, pursuant to K.S.A. 25-1606, by appointment by the board of county commissioners. I hope this information will be helpful to you.

Yours very truly,

VERN MILLER  
Attorney General

VM:JRM:tp