



STATE OF KANSAS

Office of the Attorney General

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Curt T. Schneider
Attorney General

January 26, 1976

ATTORNEY GENERAL OPINION NO. 76- 26

The Honorable Frank Jones
Mayor of Toronto
Toronto, Kansas 66777

Re: Cities--Officers--Qualifications

Synopsis: In a city of the third class, it is permissible for a man to be appointed to the office of city clerk, and for his wife to be appointed city treasurer, so long as both are registered voters of the city.

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Dear Mayor Jones:

We have your letter of January 16, 1976, inquiring whether, in a city of the third class, it is permissible for a man to hold the office of city clerk, and his wife to hold the office of city treasurer.

Under K.S.A. 15-209, it is necessary only that persons appointed to these offices be qualified electors of the city, *i.e.*, that they be registered voters. If both are indeed registered voters, neither is disqualified from or ineligible for appointment to the position because the spouse is also appointed to another city office. Thus, both are fully eligible for the respective offices.

Yours very truly,

CURT T. SCHNEIDER
Attorney General

CTS:JRM:kj