PUBLIC INSTRUCTION, DEPT. OF: County superintendent—qualifications.

Hon. Grover Van Duyn,
Assistant Superintendent,
Department of Public Instruction,
Indianapolis, Indiana.

Dear Sir:

I have before me your letter submitting the following question:

"Should a candidate for the office of county superintendent, be a resident of the State of Indiana before he is eligible to be elected to said office?"

The answer to the above question is in the affirmative. Your next question is: How long a period prior to such election must he be a resident of the State of Indiana? I know of no statute which fixes any particular length of time of residence in such a case. Section 4 of article 6 of the Constitution of Indiana, however, provides that:

"No person shall be elected, or appointed, as a county officer, who shall not be an elector of the county; nor anyone who shall not have been an inhabitant thereof, during one year next preceding his appointment, if the county shall have been so long organized."

There is no similar provision with reference to state officers, but in my opinion, a person would not be eligible for election as a county superintendent unless he had resided in the state for at least one year next preceding his appointment.

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INSURANCE COMMISSIONER: Whether department may prohibit issuing by Indiana assessment organizations of assessment policies containing "old age" benefits.

Hon. Harry E. McClain,
Commissioner of Insurance,
Indianapolis, Indiana.

Attention: Harold G. Walton.

Dear Sir:

I have before me your communication presenting the following inquiry: