

71-1308. Transfer of property and funds upon consolidation. The assets of the community college districts being consolidated shall be transferred to the consolidated community college district on a day agreed upon in the consolidation agreement but not sooner than the first day of the first month after the election approving such consolidation. The property, records and all funds on hand and to be collected of each of the community college districts being consolidated shall be turned over and paid to the consolidated community college district and shall become the property thereof, and the consolidated community college district shall thereupon be entitled to possession thereof. The consolidated community college district shall thereupon become liable for and pay all lawful debts of the community college districts which were consolidated except as may be otherwise provided by the consolidation agreement for bonded indebtedness. It shall be the duty of all county officers and officers of the community college districts being consolidated to transfer the funds (including state financial aid funds and funds collected from federal aid, taxes, interests and penalties subsequent to such consolidation), records and property of the community college districts being consolidated in accordance with the provisions of this section and the consolidation agreement. Any county treasurer or community college district officer or former officer having in his possession any property, records or funds of any of the community college districts being consolidated who shall fail or refuse to turn over such property, records or funds to the consolidated community college district shall be ordered to do so by the state board. Upon the request of the state board the attorney general is authorized to file a mandamus, quo warranto or other appropriate action to accomplish the proper transfer of such property, records and funds.

History: L. 1968, ch. 77, § 8; L. 1980, ch. 207, § 69; July 1.