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FEB 21 2003
Opinion Number 03-0043

Honorable John F. Overton
Mayor, Town of Maringouin
P.O. Box 10
Maringouin, LA 70757

71 Municipalities
90-A-2 Public Funds – Loan, Pledge or Grants

Town of Maringouin may not use public funds to
benefit private property.

Dear Mayor Overton:

The Town of Maringouin questions if it may install, at its expense, sewer, water, and gas lines on private property.

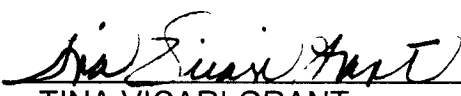
It is our opinion that the Town of Maringouin may not do so. Article 7, Section 14 of the Louisiana Constitution prohibits the loan, pledge, or donation of public funds to any person, association or corporation. The use of public funds by a public entity for the benefit of someone else when it is under no obligation to do so is a donation and is therefore prohibited by the constitution. We previously opined that municipalities could not use public funds to benefit a private landowner, specifically in the instance of installing or connecting sewer services.¹

We trust that this adequately responds to your request. If you have any questions or comments, please do not hesitate to contact our office.

With kindest regards,

Yours very truly,

RICHARD P. IEYOUB
Attorney General

BY: 
TINA VICARI GRANT
Assistant Attorney General

RPI/TVG/dam

¹ Atty. Gen. Op. Nos. 00-82, 00-485.