

1983 WL 181714 (S.C.A.G.)

Office of the Attorney General

State of South Carolina

January 18, 1983

*1 The Honorable Edgar A. Vaughn, Jr., CPA
State Auditor
P.O. Box 11333
Columbia, South Carolina 29211

Dear Mr. Vaughn:

Thank you for your letter to this office regarding reimbursing the Greenville County School District for school bus drivers' salaries in fiscal years 1980-1981 and 1981-1982. Chief Deputy Attorney General Frank Sloan referred it to me for response.

According to the information provided, the Department of Education reimburses the school districts for school bus drivers' salaries. Changes in a computer program in the Greenville County School District resulted in that district's not requesting, during the past two years, all of the reimbursements that were due it then. The school district now desires to be paid the difference between the amounts that they should have received in those fiscal years and those that they actually received.

Neither state law nor the current and prior year Department of Education budgets appear to permit this expenditure. See Act 466 §§ 1, 2, 28 and 126, Acts and Joint Resolutions of South Carolina, 1982; Act 178 § 28 of 1981; Act 517 § 28 of 1980 (Appropriations Acts). State law indicates that the appropriations should be used to meet only obligations for the year in which the appropriations are made, and no provisions in the prior year Department of Education budgets would allow the carryover of funds for school bus drivers salaries from one fiscal year to the next.

If you have any questions, please do not hesitate to contact me.

Yours very truly,

J. Emory Smith, Jr.
Assistant Attorney General

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