

1980 WL 121078 (S.C.A.G.)

Office of the Attorney General

State of South Carolina

March 6, 1980

\*1 John Foster, Esquire  
Boyd, Knowlton, Tate and Finley  
1200 SCN Center  
Columbia, South Carolina 29201

Dear Mr. Foster:

Pursuant to our recent telephone conversation, I am writing to advise you that I think that the provisions of [Section 4-29-10 et seq., CODE OF LAWS OF SOUTH CAROLINA](#), 1976, as amended, the Industrial Revenue Bond Act, can be used to construct and operate a computer center for use by industrial and/or commercial entities who will store and retrieve information therefrom. Included within Section 4-9-10(3)(b)'s definition of permissible projects is 'all other machinery, apparatus, equipment, . . . deemed necessary, suitable or useful by . . . (b) any commercial enterprise engaged in storing, . . . products of industry,' and, while it may be argued that interpreting a computer center to be necessary, suitable or useful to a commercial enterprise engaged in 'storing products of industry' results in a liberal construction of the statute, it can also be argued that such an interpretation also results in fulfilling the intent of the General Assembly to encourage industries now located in South Carolina 'to expand their investments.' 55 STAT. 120 at 121 (1967).

I am enclosing a copy of an earlier opinion which also discusses the limits of permissible projects under the Industrial Revenue Bond Act.

With kind regards,

Karen LeCraft Henderson  
Senior Assistant Attorney General

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