

1980 WL 121027 (S.C.A.G.)

Office of the Attorney General

State of South Carolina

April 9, 1980

*1 G. P. Callison, Esquire
Greenwood County Attorney
Post Office Box 1115
Greenwood, South Carolina 29464

Dear Mr. Callison:

With regards to your April 4, 1980, letter, I think that the proposed ordinance to abolish the office of Greenwood County Supervisor effective June 30, 1980, is fine. The Greenwood County Council has the authority to repeal a special act of the General Assembly after January 1, 1980, by virtue of SECTION 3 of Act No. 283 of 1975, the 'home rule' legislation. It appears in the Code as an Editor's Note after Section 4-9-10. As far as enacting the ordinance before June 30th to be effective upon that date, the authorities state:

Where a definite time is prescribed before an ordinance shall take effect or go into force, the ordinance is effective from the expiration of the time prescribed, . . . , and not from the date of its passage. McQUILLIN MUNICIPAL CORPORATIONS § 15.39 at 119.

With kind regards,

Karen LeCraft Henderson
Senior Assistant Attorney General

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