

1976 WL 30716 (S.C.A.G.)

Office of the Attorney General

State of South Carolina

March 15, 1976

\*1 Representative Larry L. Koon  
Route 7, Box 72-P  
Lexington, South Carolina 29072

Dear Representative Koon:

In response to your request to Mr. Lewis Argoe, Jr., for an opinion concerning the construction of a community hospital in the Batesburg-Leesville area of Lexington County, which request was transferred to me for reply, my opinion is that one alternative available to the citizens of the Batesburg-Leesville area is to bring an action pursuant to the Uniform Declaratory Judgments Act [§§ 10-2001 et seq., CODE OF LAWS OF SOUTH CAROLINA, 1962, as amended] seeking a declaration as to the meaning and effect of the results of the referendum conducted in 1966. My understanding is that that referendum ballot contained four choices and that the following choice received the winning vote:

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(b) the construction of a community hospital located in the Batesburg-Leesville area and the construction of a general hospital located near West Columbia and Cayce; . . . 54 STAT. Act No. 1339 at 3481, as amended by Act No. 1346 at 3502 (1966).

In addition to seeking a declaratory judgment, such an action might also seek to enjoin the construction of the 'Phase II satellite' anywhere outside the Batesburg-Leesville area, at least until a judicial determination as to the meaning and effect of the aforementioned referendum results is made.

With kind regards,

Karen LeCraft Henderson  
Assistant Attorney General

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