

1972 WL 25521 (S.C.A.G.)

Office of the Attorney General

State of South Carolina

June 26, 1972

*1 Mr. James D. Dube
State Coordinator
Project PLEA
2414 Bull Street
Columbia, S. C. 29201

Dear Mr. Dubs:

You have requested that this office advise you as to the legality of the various counties extending monies for the purposes enumerated in Project PLEA. Project PLEA, Piedmont Life Enrichment for the Aging, requires the expenditure of county funds for services for the aged, which services include:

1. providing transportation to doctors' offices, clinics, etc.;
2. information, referral, outreach and counseling services;
3. health screening services;
4. planning and administration for the Project.

Article 10, Section 8 of the South Carolina Constitution states in pertinent part:

The General Assembly shall not have power to authorize any county or township to levy a tax, or issue bonds, for any purpose except for educational purposes, to build and repair public roads, buildings and bridges, to maintain and support prisoners, pay jurors, county officers, and for litigation, quarantine, and court expenses, and for ordinary county purposes, to support paupers and pay past indebtedness.

As counties are supported by taxes and bond issuances, it appears clear that Article 10, Section 8 (supra.) prohibits any expenditure of county funds with the exceptions enumerated, or for 'ordinary county purposes.' The question thus evolves into —is the expenditure of funds for the services enumerated in Project PLEA an ordinary county purpose?

From the existing cases, it appears that for an expenditure to be construed as for ordinary county purposes, such expenditure must benefit the county generally. [Reese v. Talbert](#), 237 S.C. 356, 117 S.E.2d 375; [Battle v. Wilcox](#), 128 S.C. 500, 122 S.E. 516; [Cothran v. Mallory](#), 211 S.C. 387, 45 S.E.2d 599. In that it is specifically enumerated in Article 10, Section 8 that it is an appropriate county purpose to support paupers, it would appear that the support of programs for the aging is within the category, 'ordinary county purposes.'

It is therefore the opinion of this office that the expenditure of county monies for the purposes enumerated in Project PLEA is in conformance with the constitutional provisions of Article 10, Section 8 and do constitute ordinary county purposes.

Very truly yours,

Timothy G. Quinn
Assistant Attorney General

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