

1972 WL 25308 (S.C.A.G.)

Office of the Attorney General

State of South Carolina

May 5, 1972

***1 Re: Retirement—Eligibility (Fairfield County Recreation District)**

Mr. Tatum W. Gressette
Director
S. C. Retirement System
P. O. Box 11960
Columbia, South Carolina 29211

Dear Mr. Gressette:

Your letter of April 21, 1972, requesting an opinion on the eligibility of the Fairfield County Recreation District for the S. C. Retirement System has been received and referred to me for response.

The District was created by Act No. 1059 of the 1970 Acts and Joint Resolutions of the General Assembly. By Section 2 of that Act, the District was made a body politic and by Section 5 was vested with such sovereign powers as the right to receive and expend public funds and to make contracts for the discharge of its functions.

Therefore, in my opinion, the District is a political subdivision within the meaning of that term as used in Section 61-1(5) of the Code of Laws of South Carolina (1962) and qualifies for the Retirement System under Section 61-37 of the Code. This is consistent with prior opinions of this office, e.g., an opinion written on September 17, 1970, relating to the Lexington County Recreation District and an opinion written on June 16, 1969, relating to the Greenville County Recreation District.

Very truly yours,

Edwin B. Brading
Assistant Attorney General

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