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The State of South Carolina
OFFICE OF THE ATTORNEY GENERAL

HENRY McMASTER
ATTORNEY GENERAL

July 12, 2004

The Honorable Glenn Reese
Senator, District No. 11
507 Fagan Drive, Lake Bowen
Inman, South Carolina 29349-7000

Dear Senator Reese:

In a letter to this office you indicated that the Spartanburg Regional Health Services District, Inc. ("SRHS") is a public hospital corporation created by the Spartanburg County Council under Title 44, Chapter 7, Articles 15 and 16 of the South Carolina Code dealing with regional health services districts. You specifically indicated that SRHS is not a nonprofit corporation pursuant to the South Carolina Nonprofit Corporation Act, S.C. Code Ann. Sections 33-31-101 et seq. (Supp. 2003).

You have indicated that SRHS is considering disposing of one of its properties, B.J. Workman Memorial Hospital. In a memorandum forwarded with your letter, SRHS's legal counsel referenced that under the Nonprofit Corporation Act, nonprofit corporations are required to notify the Attorney General of certain mergers, sales and distributions of assets. See: Sections 33-31-1102, 33-31-1202 (f), and 33-31-1403. You have questioned whether SRHS may sell, transfer, convey or otherwise dispose of B.J. Workman Memorial Hospital without notification to, the prior approval or consent of, or other review by the Attorney General's office.

I am unaware of any provisions requiring the notification, prior approval, consent, or other review by the Attorney General of the sale, transfer, conveyance or other disposal of a public hospital corporation created pursuant to Title 44, Chapter 7, Articles 15 and 16. I agree with the statement of SRHS's legal counsel that there are no indications in such

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provisions that the Attorney General has oversight or other authority over regional health services districts.

With kind regards, I am,

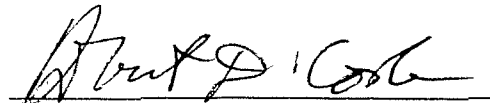
Very truly yours,



Charles H. Richardson

Senior Assistant Attorney General

REVIEWED AND APPROVED BY:



Robert D. Cook

Assistant Deputy Attorney General