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The State of South Carolina
OFFICE OF THE ATTORNEY GENERAL

CHARLES MOLONY CONDON
ATTORNEY GENERAL

September 22, 1995

The Honorable Dave C. Waldrop, Jr.
Member, House of Representatives
Post Office Box 813
Newberry, South Carolina 29108

RE: Informal Opinion

Dear Representative Waldrop:

Thank you for your letter of May 22, 1995, to Attorney General Condon, which this Office received on September 21. You had asked whether the Newberry County Recreation Commission could donate Newberry County tax dollars to religious groups such as a Y. M. C. A. This Office has advised previously, by an opinion dated February 10, 1975, that the use of public funds for a building fund of a Y. M. C. A. would be violative of the Constitution of the State of South Carolina.¹ (A copy of the opinion is enclosed.) I am of the opinion that the conclusion expressed in the enclosed opinion is still valid; the donation of public funds to a sectarian or religious organization would be constitutionally impermissible.

This letter is an informal opinion only. It has been written by a designated Senior Assistant Attorney General and represents the position of the undersigned attorney as to the specific questions asked. It has not, however, been personally scrutinized by the Attorney General nor officially published in the manner of a formal opinion.

¹While the opinion does not state the specific constitutional section which would prohibit such use of public funds, that section would now be Article X, Section 11.

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With kindest regards, I am

Sincerely,

Patricia D. Petway

Patricia D. Petway
Senior Assistant Attorney General

Enclosure