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May 24, 1985

Ms. Helen T. Zeigler, Special Assistant  
for Legal Affairs  
Office of the Governor  
Post Office Box 11450  
Columbia, South Carolina 29211

Dear Ms. Zeigler:

You have asked for the opinion of this Office as to the constitutionality of H.2758, R-174, which act amends an earlier act of the General Assembly concerning the Charleston County Park, Recreation, and Tourist District. Considering the reasoning and authority cited in Ops. Atty. Gen. to you dated February 27, 1985 (re H.2164, R-2) and March 21, 1985 (re H.2260, R-46), we would advise that H.2758, R-174 is of doubtful constitutionality. See also Spartanburg Sanitary Sewer District v. City of Spartanburg, \_\_\_ S.C. \_\_\_, 321 S.E.2d 258 (1984) (construing Article VIII, Section 7 in the context of legislation for a special purpose district, directing that "the constitutional mandate of Article VIII, § 7 that the General Assembly can modify legislation regarding special purpose districts only through the enactment of general law" be followed).

Sincerely,

*Patricia D. Petway*

Patricia D. Petway  
Assistant Attorney General

PDP/an

REVIEWED AND APPROVED BY:

*Robert D. Cook*  
Robert D. Cook  
Executive Assistant for Opinions

REQUEST LETTER