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The State of South Carolina



Office of the Attorney General

T. TRAVIS MEDLOCK
ATTORNEY GENERAL

REMBERT C. DENNIS BUILDING
POST OFFICE BOX 11549
COLUMBIA, S.C. 29211
TELEPHONE 803-758-8667

April 21, 1986

The Honorable Thomas L. Moore
Member, South Carolina Senate
P. O. Box 142
Columbia, South Carolina

Dear Senator Moore:

You have requested advice as to the authority to set tax millage for the operation of public schools in Aiken County. The current authority is set forth in Act 573, Acts and Joint Resolutions of South Carolina, 1984 which authorizes the Aiken County Board of Education to set a tax millage of no more than 78 mills. A previous opinion of this office concerning a similar earlier law concluded that the General Assembly has the only power to increase this millage. Ops. Atty. Gen. (April 2, 1981); see also Ops. Atty. Gen. (October 22, 1982). No statute now in effect appears to have changed this conclusion. Although the Education Improvement Act (EIA) imposes certain funding responsibilities on the various school districts, this law does not appear to grant any additional tax levying authority. Ops. Atty. Gen. (June 19, 1984). See Act 512, Part II, Section 9, Division V, Section 2 of 1984 as amended by Act 201, Part II, Section 61 of 1985. For a discussion of the EIA's effects, see Ops. Atty. Gen. (June 19, 1984).

If you have any questions, please let me know.

Yours very truly,

A handwritten signature in dark ink, appearing to read "J. Emory Smith, Jr.", written over a horizontal line.

J. Emory Smith, Jr.
Assistant Attorney General

JESjr/srcj
Enclosures

REVIEWED AND APPROVED BY:

A handwritten signature in dark ink, appearing to read "Robert D. Cook", written over a horizontal line.

Robert D. Cook
Executive Assistant for Opinions