

1983 WL 181857 (S.C.A.G.)

Office of the Attorney General

State of South Carolina

April 21, 1983

***1 SUBJECT: County Government**

The recently passed bill designated H. 2822 violates [Article VIII, Section 7 of the South Carolina Constitution](#) in that it deals with a specific county.

The Honorable Richard W. Riley
Governor of South Carolina

QUESTION:

Is the recently passed bill designated H. 2822 constitutional?

STATUTES AND CASES:

[Article VIII, Section 7, South Carolina Constitution](#); [Cooper River Parks and Playground Commission v. City of North Charleston](#), 273 S.C. 639, 259 S.E.2d 107 (1979); [Torgerson v. Craver](#), 267 S.C. 558, 230 S.E.2d 228 (1976); [Knight v. Salisbury](#), 262 S.C. 565, 206 S.E.2d 875 (1974); Atty. Gen'l. Op. No. 4337 (April 22, 1976).

DISCUSSION:

You have asked whether the recently passed bill designated H. 2822 is constitutional. This bill provides:

The governing body of the Lexington County Hospital is not required to admit indigent patients who are legal residents of another county unless the patient or the governing body of the county of which the patient is a resident deposits an amount determined by the administration of the hospital sufficient to cover the cost of the patient's care or unless the governing body of that county has entered into a written agreement with the governing body of Lexington County acceptable to both parties whereby that county has agreed to contribute toward the cost of the care provided its indigent residents at the Lexington County Hospital.

H. 2822 deals with a specific county. As such, it is similar to the laws the Supreme Court has struck down as violative of [Article VIII, Section 7 of the South Carolina Constitution](#), which prohibits the enactment of laws for a specific county. [Cooper River Parks and Playground Commission v. City of North Charleston](#), 273 S.C. 639, 259 S.E.2d 107 (1979); [Torgerson v. Craver](#), 267 S.C. 558, 230 S.E.2d 228 (1976); [Knight v. Salisbury](#), 262 S.C. 565, 206 S.E.2d 875 (1974). To the same effect, see Atty. Gen'l. Op. No. 4337 (April 22, 1976).

CONCLUSION:

The recently passed bill designated H. 2822 violates [Article VIII, Section 7 of the South Carolina Constitution](#) in that it deals with a specific county.

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