

1983 WL 181872 (S.C.A.G.)

Office of the Attorney General

State of South Carolina

April 29, 1983

***1 SUBJECT: County Government**

The recently passed bill designated S.441 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 S.441 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).

DISCUSSION:

You have asked whether the recently passed bill designated S.441 is constitutional. This bill amends Act Number 696 of 1962, which created the Laurens County Airport Commission, by providing that the Commission ‘shall elect annually from its membership a chairman and a secretary.’ Act 696 states that the Laurens County Airport Commission shall act for Laurens County in all matters relating to airports.

S.441 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). It should be noted that in [Torgerson v. Craver](#), the Court held that a 1975 act authorizing the Charleston County Airport District to issue certain bonds was violative of [Article VIII, Section 7](#).

CONCLUSION:

The recently passed bill designated S.441 violates [Article VIII, Section 7 of the South Carolina Constitution](#) in that it deals with a specific county.

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