

1981 WL 158101 (S.C.A.G.)

Office of the Attorney General

State of South Carolina

January 6, 1981

***1 Re: Default on Certain Student Loans**

Mr. William M. Mackie, Jr.
Executive Director
South Carolina Student Loan Corporation
Post Office Box 21337
Columbia, South Carolina 29221

Dear Mr. Mackie:

You have recently asked this Office for its opinion about the applicability of [Section 59-111-50, 1976 Code of Laws of South Carolina](#), to city and county employees. That code section provides in part:

No person who has willfully defaulted on a National Direct Student Loan, a National Defense Student Loan, a Guaranteed-Federally Insured Student Loan, a Nursing Student Loan, a Health Professions Student Loan or a Law Enforcement Educational Loan shall now or hereafter be employed by the State or any of its departments, agencies or subdivisions until all defaults are cured and loan payments made current . . . (Emphasis added.)

Counties and cities are subdivisions of the state. [Parker v. Bates](#), 56 S.E.2d 723, 216 S.C. 52, 59 (1950) (counties are subdivisions of the state). See, 56 AM.JUR.2d Municipal Corporations § 23, pp. 87-89 (municipal corporations are units of state government) and [State, ex rel. Maisano v. Mitchell](#), 231 A.2d 539, 542, 155 Conn. 256 (1967) (cities, boroughs and towns are subdivisions of the state). See also, [Article VIII, Section 1, South Carolina Constitution](#), wherein counties, cities and towns are referred to as 'political subdivisions.'

When a statute is plain and unambiguous, the words in the statute must be given literal interpretation. [University of South Carolina v. Batson](#), 271 S.C. 242, 244, 246 S.E.2d 882, 883 (1978). Since the statute plainly applies to employees of subdivisions of the State, it is the opinion of this Office that it applies to city and to county employees.

Sincerely,

Barbara J. Hamilton
Assistant Attorney General

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