

1982 S.C. Op. Atty. Gen. 15 (S.C.A.G.), 1982 S.C. Op. Atty. Gen. No. 82-12, 1982 WL 154982

Office of the Attorney General

State of South Carolina

Opinion No. 82-12

March 5, 1982

**\*1 SUBJECT: Counties**

In the event that the Greenwood County Hospital Board were dissolved, the assets of the Board would pass to Greenwood County and as such must be used solely for public purposes.

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**DISCUSSION:**

The Greenwood County Hospital Board was created by Act No. 1554, S. C. Acts & Joint Resolutions, 1968, to provide hospital facilities for the people of Greenwood County. Certain hospital property was conveyed pursuant to this act, from the Trustees of Self Memorial Hospital to the Board, subject to certain liabilities of the Hospital, §§ 2, 3, *Id.* As to the status of the Board, it is an instrumentality of Greenwood County under the Home Rule Act. § 4-9-170, [CODE OF LAWS OF SOUTH CAROLINA](#), 1976. Therefore, if the Board were to be dissolved, the assets of the Board would be deemed property of Greenwood County, and as such must be used by the County solely for public purposes. *See*, Act X, § 11, S. C. Constitution; *see also*, [Green v. City of Rock Hill](#), 149 S.C. 234, 266; 147 S.E. 346, 357 (1929). All such property would, however, remain subject to any interest still retained by the subject Hospital Trustees, if any, as well as to any encumbrances on the property which may have existed at the time of transfer by the Trustees to the Greenwood County Hospital Board. Subject to those exceptions, it is the opinion of this Office that the property of Greenwood County Hospital Board would pass to Greenwood County upon the dissolution of the Board, and as such must be used solely for public purposes.

**QUESTION:**

1. What disposition would be made of the personal property of the Greenwood County Hospital Board in the event of its dissolution?

**OPINION:**

For the foregoing reasons, it is the opinion of this Office that, in the event that the Greenwood County Hospital Board were to be dissolved, the assets of the Board would pass to Greenwood County, and as such must be used solely for public purposes.

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