

1981 WL 158222 (S.C.A.G.)

Office of the Attorney General

State of South Carolina

April 6, 1981

*1 J. Lewis Cromer, Esquire
Richland County Attorney
Post Office Box 192
Columbia, South Carolina 29202

Dear Mr. Cromer:

In response to your request for an opinion from this Office regarding the authority of county councils to alter the fees collected by elected county officials such as the clerk of court, the register of mesne conveyances, et al., I agree with your conclusion that presently there is no effective way to do so. A county council is without authority, of course, to modify general laws which specify fees and, if a county council alters fees prescribed by special law, the general law provisions would then be applicable.

My suggestions are that the general laws relating to fees be amended to reflect present costs or that county councils be empowered by general law (perhaps an amendment to [Section 4-9-30, CODE OF LAWS OF SOUTH CAROLINA](#), 1976, as amended) to set the fees collected by county officials.

With kind regards,

Karen LeCraft Henderson
Senior Assistant Attorney General

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