

1981 WL 157854 (S.C.A.G.)

Office of the Attorney General

State of South Carolina

July 7, 1981

*1 Honorable D. M. McEachin, Jr.
Member
House of Representatives
314-A Blatt Building
Columbia, South Carolina 29211

Dear Representative McEachin:

In response to your request for an opinion from this Office regarding the provision of Act No. 283 of 1975, the 'home rule' legislation, requiring the county council to provide office space and sufficient appropriations to operate an office for the county legislative delegation, I am enclosing copies of earlier opinions which discuss that provision. With respect to your specific inquiry, my opinion is that the Florence County Council is not required to finance more than one office for the Florence County Legislative Delegation but it cannot comply with the statutory requirements by merely supplying a telephone and the use of a secretary in the Council office. The statute provides in part:

. . . county council shall provide office space and appropriations for the operation of the county legislative delegation office including compensation for staff personnel and necessary office supplies and equipment. . . . The delegation shall be responsible for . . . all personnel employed in the delegation office.

This language clearly contemplates that the legislative delegation is to be provided with its own independently-functioning office rather than the use of and access to the county council office.

With kind regards,

Karen LeCraft Henderson
Senior Assistant Attorney General

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