

1981 S.C. Op. Atty. Gen. 92 (S.C.A.G.), 1981 S.C. Op. Atty. Gen. No. 81-66, 1981 WL 96592

Office of the Attorney General

State of South Carolina

Opinion No. 81-66

July 9, 1981

*1 The Honorable Richard W. Riley
Governor of South Carolina
Post Office Box 11450
Columbia, South Carolina 29211

Dear Governor Riley:

You have requested an opinion whether the Office of Economic Opportunity, a division of the Governor's Office, may sell copies of a video tape produced by the Division and keep the funds from the sale within the Division for future tapings. It is my opinion that the Division may not copy the tapes for resale and furthermore that any tapes now held by the Division may be sold only by the Budget and Control Board, with the income applied to the State Sinking Fund.

All agencies of the Executive Branch have only those powers that are conferred by law. There is no statutory or other authorization for the Governor's Office either to copy these tapes for the purpose of resale or to sell any of the tapes. If the Division currently has copies of the tapes which are no longer needed, they may be sold by the Budget and Control Board pursuant to [§ 11-9-630, S.C. CODE](#), 1976. The funds derived from the sale must be applied to the Sinking Fund of the State. [§ 11-9-620, Id.](#)

In order to copy the tapes for resale or to sell tapes and keep the funds within the Division for future tapings, specific statutory authorization would be required. Since there is no other statutory authorization in this regard, it is my opinion that the currently existing tapes may be sold only pursuant to the above-cited statutes.

Sincerely yours.

Daniel R. McLeod
Attorney General

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