

1982 WL 189264 (S.C.A.G.)

Office of the Attorney General

State of South Carolina

April 21, 1982

*1 John R. Rumford
Deputy Director
Field Operations
Division of Economic Opportunity
1712 Hampton Street
Columbia, South Carolina 29201

Dear Mr. Rumford:

This will reply to your letter of April 1, 1982, inquiring a legal definition of a political subdivision within this State which would be eligible for funding under the Community Services Block Grant Program.

The words 'political subdivision' are a generic term which means any constitutionally or statutory established area within the State which has been given authority to exercise limited sovereignty within a defined area. In this State the principal political subdivisions are:

counties

municipalities

school districts

special purpose districts:

water

sewer

drainage

fire

Counties and municipalities have constitutional and statutory authority to create entities such as library boards, hospital boards and the like. Even though such entities may be created by statute or ordinance as separate bodies politic, it is doubtful that they would meet the definition of a 'political subdivision' as contemplated in the Community Services Block Grant Act.

It is our view that grants probably could not properly be made under this heading to political subdivisions other than counties, municipalities, school districts, and special purpose districts. Whether a grant could properly be made to a special purpose district would, in our opinion, depend more upon that district's capacity to provide the services, rather than it's legal definition. Of course, this would not limit the authority to make grants to bodies such as community action agencies or any other local agencies specifically provided in the block grant act.

If you have further questions please do not hesitate to call upon us.

Sincerely,

Frank K. Sloan
Deputy Attorney General

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