

1982 WL 189389 (S.C.A.G.)

Office of the Attorney General

State of South Carolina

August 3, 1982

*1 J. M. McLendon, Esquire
McLendon and Sloan
Post Office Box 1096
Marion, South Carolina 29571

Dear Mr. McLendon:

In response to your request for an opinion from this Office as to whether or not a municipality in South Carolina must allow competitive bidding, the only State law presently requiring the practice [§§ 11-35-1510 *et seq.* and 11-35-3010 *et seq.*, CODE OF LAWS OF SOUTH CAROLINA, 1976 (Cum.Supp.) specifically excludes municipalities from the definition of 'governmental bodies' which must provide for competitive bidding. [§ 11-35-310\(18\), CODE OF LAWS OF SOUTH CAROLINA, 1976 \(Cum.Supp.\)](#). If a municipality does not use State funds and if no municipal ordinance requires it, then, in my opinion, competitive bidding is not required. Please note, however, that [Section 11-35-50, CODE OF LAWS OF SOUTH CAROLINA, 1976 \(Cum.Supp.\)](#), requires all political subdivisions of the State to adopt 'ordinances or procedures embodying sound principles of appropriately competitive procurement no later than July 1, 1983.'

With kind regards,

Karen LeCraft Henderson
Deputy Attorney General

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