

1980 WL 121184 (S.C.A.G.)

Office of the Attorney General

State of South Carolina

April 22, 1980

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

Dear Governor Riley:

In response to your request for an opinion from my Office regarding the constitutionality of an act of the General Assembly which increases the membership of the Dillon County Development Board and provides for their selection and terms of office, my opinion is that such legislation is most probably violative of the 'no laws for a specific county' language of [Article VIII, Section 7 of the South Carolina Constitution](#) as interpreted by the South Carolina Supreme Court in [Cooper River Park and Playground Commission v. City of North Charleston](#), — S.C. — (Opinion No. 21031 filed August 16, 1979) and in [Torgerson v. Craver](#), 230 S.E.2d 228 (1976). See also, e.g., [§ 6-11-410, CODE OF LAWS OF SOUTH CAROLINA](#), 1976, as amended; [§§ 6-11-810 et seq., CODE OF LAWS OF SOUTH CAROLINA](#), 1976, as amended; 59 STAT. 331 (1975); 59 STAT. 1659 (1976). The constitutional vice of this type of legislation appears to be that the regulation of special purpose districts is now supposed to be done by county councils rather than the Legislature, according to the Supreme Court decisions cited above. Sincerely,

Daniel R. McLeod
Attorney General

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