

1980 WL 121241 (S.C.A.G.)

Office of the Attorney General

State of South Carolina

May 23, 1980

*1 The Honorable John C. Land, III
Senator
Senatorial District No. 12
Post Office Box 142
Columbia, South Carolina 29202

Dear Senator Land:

This is in reply to your letter of May 20, 1980, in which you seek an opinion as to whether or not the Clarendon Hospital District has taxing powers in its own right or whether it would be dependent upon the County of Clarendon for appropriations. It is the opinion of this Office that any appropriations must be made by Clarendon County rather than the Hospital District.

The Clarendon Hospital District was created by Act No. 375 of 1947. Neither that statute nor any subsequent amendments to that statute give the Clarendon Hospital District the taxing power. Therefore, the Hospital District cannot levy taxes.

However, § 6 of Act No. 375 empowers the Hospital District to accept gifts, grants or appropriations from any political subdivision of the state. Furthermore, counties are generally authorized to appropriate money to a public service district so long as such appropriations are used for a valid county purpose. ANTIEAU, COUNTY LAW, § 44.28. The providing of hospital and medical care is a valid county purpose. [§ 4-9-30\(5\), CODE OF LAWS OF SOUTH CAROLINA](#), 1976. Therefore, it is the opinion of this Office that the Clarendon Hospital District does not have taxing powers, and that it would be lawful for the County of Clarendon to appropriate money to the Hospital District.

Sincerely yours,

David C. Eckstrom
State Attorney

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