

1980 WL 121269 (S.C.A.G.)

Office of the Attorney General

State of South Carolina

June 10, 1980

*1 Ms. Dorothy A. Manigault
Executive Assistant for Legal Affairs
Office of the Governor
Post Office Box 11450
Columbia, South Carolina 29211

Dear Ms. Manigault:

You have requested an opinion as to the constitutionality of House Bill 3486 (R 549) which provides inter alia, for the creation of the Fort Lawn Fire District in Chester County. It is the opinion of this Office that this legislation is in violation of [Article VIII Section 7 of the South Carolina Constitution](#) insofar as it is a law for a specific county. [Cooper River Park and Playground Commission v. City of North Charleston](#), 273 S.C. 639, 259 S.E.2d 107 (1979); [Torgerson v. Craver](#), 267 S.C. 558, 230 S.E.2d 228 (1976). The creation of fire protection districts is a power which has been granted by statute to county councils. Therefore, it is the opinion of this Office that the act is unconstitutional.

Sincerely yours,

David C. Eckstrom
Assistant Attorney General

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