

1980 WL 120728 (S.C.A.G.)

Office of the Attorney General

State of South Carolina

June 18, 1980

***1** The 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 as to the constitutionality of a 1980 act of the General Assembly which amends the powers of the Greenville Airport Commission, my opinion is that the legislation is most probably unconstitutional as violative of the 'no laws for a specific county' language of Article VIII, Section 7 of the South Carolina Constitutions as interpreted by the South Carolina Supreme Court in [Torgerson v. Craver](#), 230 S.E.2d 228 (1976 and [Cooper River Parks and Playgrounds Commission, et al v. The City of North Charleston](#), — S.C. — (Opinion No. 21031 filed August 16, 1979). The Greenville County Council is authorized to empower governing bodies of special purpose districts to issue bonds pursuant to [Sections 6-11-810 et seq., CODE OF LAWS OF SOUTH CAROLINA](#), 1976, as amended, so that if the Greenville Airport Commission is the governing body of a special purpose district, the Greenville County Council can use one of those statutory methods to empower it to issue bonds. If, on the other hand, the Commission is not the governing body of a special purpose district, then the Greenville County Council itself can alter the provisions of the special legislation pertaining to the Commission and thereby empower it to borrow money and issue bonds pursuant to Section 3 of Act No. 283 of 1975, the 'home rule' legislation.

Sincerely,

Daniel R. McLeod
Attorney General

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