

1980 WL 121265 (S.C.A.G.)

Office of the Attorney General

State of South Carolina

June 6, 1980

*1 The Honorable Richard W. Riley
Governor of South Carolina
State House
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 amends Act No. 1602 of 1972, as amended, relating to the operating expenses of certain political subdivisions, agencies and commissions in Charleston County, my opinion is that such legislation is most probably unconstitutional as violative of the 'no laws for a specific county' of [Article VIII, Section 7 of the South Carolina Constitution](#) as interpreted by the South Carolina Supreme Court in [Cooper River Parks and Playgrounds Commission v. The City of North Charleston](#), — S.C. — (Opinion No. 21031 filed August 16, 1979), in [Torgerson v. Craver](#), 230 S.E.2d 228 (1976), and in [Kleckley v. Pulliam](#), 217 S.E.2d 217 (1975). As of January 1, 1980, the Charleston County Council has been authorized to enact an ordinance in conflict with Act No. 1602 of 1972, as amended, at least to the extent that it relates to the Cooper River Parks and Playgrounds Commission, West St. Andrews and the St. Andrews Parks and Playgrounds Commission. See, Act No. 283 of 1975, SECTION 3 [59 STAT. 690 at 716 (1975)]. With respect to the special purpose districts included in the legislation, the provisions of Act No. 622 of 1976 [59 STAT. 1659 (1976)] empower each county council to approve increases in millage limitations imposed upon special purpose districts located within the particular county.

Very truly yours,

Daniel R. McLeod
Attorney General

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