

1977 S.C. Op. Atty. Gen. 19 (S.C.A.G.), 1976 S.C. Op. Atty. Gen. No. 77-8, 1977 WL 24351

Office of the Attorney General

State of South Carolina

Opinion No. 77-8

January 7, 1977

\*1 Hon. O. Frank Thornton  
Secretary of State  
P. O. Box 11350  
Columbia, South Carolina 29211

Dear Mr. Thornton:

In response to your request for an opinion from this Office as to whether or not the county council members under any of the four council forms established by the provisions of Act No. 283 of 1975, the 'home rule' legislation, are required to post a performance bond, the opinion of this Office is that there is no such requirement imposed by the provisions of that Act. Of course, a county would be free to impose such a requirement by ordinance if it should desire. Moreover, as to any county that is presently operating under the board of commissioners form until such time as it can effect the change to a constitutional form of county government, Section 14-3785.8, CODE OF LAWS OF SOUTH CAROLINA, 1962, as amended (Cum. Supp.), does require those commissioners to post such a bond in the amount of five thousand (\$5,000.00) dollars.

With kind regards,

Karen LeCraft Henderson  
Assistant Attorney General

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