

1977 WL 37306 (S.C.A.G.)

Office of the Attorney General

State of South Carolina

April 12, 1977

**\*1 Re: Tax sheltered annuity program for Richland Memorial Hospital**

Lawrence B. Orr, Esquire  
Richardson, Plowden, Grier and Howser  
1340 Pickens Street  
Columbia, SC 29201

Dear Larry:

Your letter of February 8, 1977, was assigned to me for answer. I do apologize for the delay and hope that you will find the enclosed information helpful. The opinion to which the insurance agent is referring is, in all probability, one that I wrote, a copy of which is enclosed. As you will see in reading the opinion, it does nothing more than interpret Section 61-441, Code of Laws of South Carolina, 1962, as amended. This Code provision, by its very terms, relates solely to school districts and State supported institutions of higher learning. I am of the opinion that it is in no way controlling over any tax sheltered annuity plan which Richland Memorial Hospital may want to adopt.

Furthermore, I am aware of no opinions written by the Attorney General's Office which would prohibit Richland Memorial Hospital from limiting the number of annuity plans offered to its employees. If I may be of further assistance in this matter, please do not hesitate to contact me.

Sincerely,

M. Elizabeth Crum  
Assistant Attorney General

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