

1977 WL 37409 (S.C.A.G.)

Office of the Attorney General

State of South Carolina

July 26, 1977

\*1 Mr. R. L. Poston  
Florence County Council  
Box G, City-County Complex  
Florence, South Carolina 29501

Dear Mr. Poston:

You have requested an opinion from this Office as to whether or not the provisions of Section 4-9-50, CODE OF LAWS OF SOUTH CAROLINA, 1976, require a State agency or department to bear the expense of renovating and remodeling the office facilities of the Twelfth Circuit Solicitor. In my opinion, they do not.

Section 4-9-50 of the 1976 Code provides in part as follows:

Whenever the General Assembly shall provide by general law for the use of county personnel, facilities or equipment to implement such general law or rules or regulations promulgated pursuant thereto, the State agency or department responsible for administering such general law shall provide sufficient funds for county implementation from appropriations to that agency or department; . . . [Emphasis added.]

The language of Section 4-9-50 specifies that a general law providing for the use of county personnel, facilities or equipment in order to carry out such general law carries with it the requirement that the State agency or department charged with the overall administering of that general law provide sufficient financing therefor. There is no general law of which I am aware that provides for the renovation or remodeling of circuit solicitors' facilities and, in particular, those of the Twelfth Circuit Solicitor. Cf., 59 STATE. Act No. 208 § 9 at 255 (1975). Moreover, there is a question as to whether or not a circuit solicitor is 'county' personnel of the nature contemplated by the provisions of Section 4-9-50.

With kind regards,

Karen LeCraft Henderson  
Assistant Attorney General

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