

1977 S.C. Op. Atty. Gen. 193 (S.C.A.G.), 1977 S.C. Op. Atty. Gen. No. 77-258, 1977 WL 24599

Office of the Attorney General

State of South Carolina

Opinion No. 77-258

August 15, 1977

\*1 Mr. Bobby Richardson  
Coordinator  
Highway Safety Program  
Office of the Governor  
Columbia, South Carolina

Dear Mr. Richardson:

In response to your request for an opinion from this Office as to the method by which South Carolina sheriffs can be empowered to accept bond for traffic violations, my opinion is that legislation, State-wide in nature, is required in order to achieve that result. Individual counties cannot so empower their respective sheriffs by ordinance because, according to the South Carolina Constitution of 1895, as amended, the duties of the sheriff are to be prescribed by the General Assembly. See, S.C. CONST. art. V, § 20. Moreover, such legislation should be general, i.e., applicable to all county sheriffs, in order not to run afoul of the constitutional prohibition against laws for a specific county. See, S.C. CONST. art. VIII, § 7; see also, S.C. CONST. art. III, § 34, subd. ix.

With kind regards,

Karen LeCraft Henderson  
Assistant Attorney General

1977 S.C. Op. Atty. Gen. 193 (S.C.A.G.), 1977 S.C. Op. Atty. Gen. No. 77-258, 1977 WL 24599

---

End of Document

© 2016 Thomson Reuters. No claim to original U.S. Government Works.