

1977 S.C. Op. Atty. Gen. 178 (S.C.A.G.), 1977 S.C. Op. Atty. Gen. No. 77-240, 1977 WL 24582

Office of the Attorney General

State of South Carolina

Opinion No. 77-240

August 3, 1977

*1 TO: L. Edmund Atwater, III

Director

S. C. Court Administration

QUESTION:

May the fees collected in the Probate Courts, as provided by Article V, Section 6, Act No. 690 (1976), be retained by the collecting official or must they be paid over to the county for such use as the county sees fit?

STATUTES AND CASES:

Act No. 690, Section 6 of Article V.

DISCUSSION:

Article V, Section 6 of Act No. 690 provides that ‘all fees and other statutory revenues collected by the probate court in each county shall be the property of such county.’ This specifically states that the fees are to be the property of the county. There is no mention of the collecting officer having authority to retain these fees.

The fees collected by the probate courts are the property of the county.

A. Camden Lewis

Assistant Attorney General

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