

1978 WL 34645 (S.C.A.G.)

Office of the Attorney General

State of South Carolina

January 10, 1978

*1 Ms. Charlotte B. Fielder
State Development Board
Post Office Box 927
Columbia, South Carolina 29202

Dear Ms. Fielder:

You have asked whether the City of Kingstree Housing Authority may extend its jurisdiction to include all of Williamsburg County. § 31-3-390 provides that

[t]he [State Development] Board may extend the territorial jurisdiction of any housing authority over territory contiguous to that of the housing authority if such extension does not conflict with any other housing authority.

The difficulty is that a Regional Housing Authority was apparently created in 1941 and included Williamsburg County within its bounds. However, a diligent search by a number of persons has failed to produced any first-hand evidence of the Regional Authority's creation, much less any evidence of its continued existence. It is reasonable to assume that World War II caused the curtailment of activity by the Authority, and that for some reason the Authority never functioned after the War.

Since co-operation from the nonexistent authority is a practical impossibility, I do not believe that the Board would be remiss in concluding that the extension of the jurisdiction of the Kingstree Housing Authority would not, as a practical matter, 'conflict with any other housing authority.'

Sincerely yours,

Kenneth P. Woodington
Assistant Attorney General

1978 WL 34645 (S.C.A.G.)

End of Document

© 2017 Thomson Reuters. No claim to original U.S. Government Works.