

1978 WL 34649 (S.C.A.G.)

Office of the Attorney General

State of South Carolina

January 12, 1978

*1 Edward Warren
Chief of Police
Batesburg Police Department
Granite Street
Batesburg, South Carolina 29006

Dear Chief Warren:

In response to your question concerning whether a law officer may set bond on a courtesy summons or must the bond be set by the Mayor or Recorder, please be advised that only State Highway Patrolmen and Game Wardens are statutorily authorized to accept money as bail in lieu of bringing a person charged with an offense before a proper judicial officer. (See [Sections 50-3-410](#) and [23-5-50, Code of Laws of South Carolina](#), 1976). No authority permits such action by any other law enforcement official. An earlier opinion of this Office, 1969-1970 Ops.Atty.Gen., No. 3845, p. 77, has similarly so indicated.

If there are any further questions, do not hesitate to contact me.

Sincerely,

Charles H. Richardson
Staff Attorney

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