

1979 WL 43511 (S.C.A.G.)

Office of the Attorney General

State of South Carolina

August 9, 1979

*1 Thurmond Bishop, Esquire
Abbeville County Attorney
122 Court Square
Abbeville, SC 29620

Dear Mr. Bishop:

In response to your request for an opinion from this Office regarding a proposed referendum pursuant to [Section 4-9-1210, CODE OF LAWS OF SOUTH CAROLINA](#), 1976, as amended, I agree with your conclusion that the subject matter of the proposed referendum is most probably included within the express exception contained in [Section 4-9-1210](#) that the initiative procedure cannot be used to propose any ordinance 'appropriating money or authorizing the levy of taxes.' For the reasons set forth in a January 18, 1979, opinion issued the Beaufort County (a copy of which you have), I think that the proposal outlined in your letter involves the levying of taxes and, therefore, is one that cannot be the subject of a referendum whose results are binding. Further, I agree with your conclusion that a [Section 4-9-1210](#) petition must be signed by 'qualified electors of the county equal in number to at least fifteen percent of the qualified electors of the county.'

With kind regards,

Karen LeCraft Henderson
Senior Assistant Attorney General

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