

1979 WL 43613 (S.C.A.G.)

Office of the Attorney General

State of South Carolina

September 24, 1979

\*1 Costa M. Pleicones, Esquire  
Richland County Attorney  
Post Office Box 4069  
Columbia, South Carolina 29240

Dear Mr. Pleicones:

In response to your request for an opinion from this Office as to whether or not the Richland County Council is authorized to empower the Richland County Administrator to make line item transfers within the respective budgets of different county departments, my opinion is that it is so authorized as hereinafter discussed.

[Section 4-9-140, CODE OF LAWS OF SOUTH CAROLINA](#), 1976, (Cum.Supp.), provides in part as follows:

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Council may make supplemental appropriations which shall specify the source of funds for such appropriations. The procedure for approval of supplemental appropriations shall be the same as that prescribed for enactment of ordinances.

. . . the provisions of this section shall not be construed to prohibit the transfer of funds appropriated in the annual budget when such transfers are approved by the council. [Emphasis added.]

Section 6-2004 of the Richland County Code, quoted in your letter, represents the Council's approval of all such transfers made by its Administrator during any given fiscal year. Unless the language hereinabove quoted is interpreted to require a council's individual approval for every transfer of already-appropriated funds, and it does not appear to do so, the council's blanket approval of all line item transfers effected by its Administrator is authorized. See, § 4-9-630(2) (the administrator shall 'execute the . . . legislative actions of the council') and (5) (the administrator shall 'supervise the expenditure of appropriated funds'), [CODE OF LAWS OF SOUTH CAROLINA](#), 1976, as amended.

With kind regards,

Karen LeCraft Henderson  
Senior Assistant

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