

1978 WL 35292 (S.C.A.G.)

Office of the Attorney General

State of South Carolina

August 4, 1978

*1 The Honorable Solomon Blatt, Sr.
Speaker Emeritus
South Carolina House of Representatives
Post Office Box 365
Barnwell, South Carolina 29812

Dear Mr. Blatt:

This is in response to your recent request concerning the validity of using South Carolina Highway Department 'C-funds' for the resurfacing of airport runways owned by airport authorities or counties. It is the opinion of this Office that these funds cannot be expended for such a purpose.

The so-called 'C-funds' are composed of moneys accruing under the provisions of [§ 12-27-240 of the South Carolina Code \(1976\)](#). [Section 12-27-400 of the Code](#) provides that 'moneys collected by the [Tax] Commission pursuant to the provisions of [§ 12-27-240](#) shall be deposited with the State Treasurer and expended on the State Highway Secondary System for construction, improvements, and maintenance . . .'. [Section 57-5-760 of the Code](#) states that '[t]he State Highway Department is hereby authorized to enter into reimbursement agreements with the several counties of the State for the construction of farm-to-market and secondary roads financed through the issuance of bonds and reimbursed from funds accruing under the provisions of [§ 12-27-400](#).' It is readily apparent that airport runways cannot be construed as 'farm-to-market and secondary roads' and, thus the use of 'C-funds' for such purposes has no statutory sanction.

Kindest personal regards,

C. Tolbert Goolsby, Jr.
Deputy Attorney General

ATTACHMENT

The Governor has the authority to suspend an officer for an offense involving moral turpitude and also the authority to appoint an officer to serve in the place of the suspended official pending his trial. [Article VI, Section 8, Constitution of South Carolina](#); [Section 8-1-100, Code of Laws, 1976](#).

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