

1978 WL 35173 (S.C.A.G.)

Office of the Attorney General

State of South Carolina

October 19, 1978

\*1 Mr. Neal Forney  
Assistant Director  
South Carolina Court Administration  
P. O. Box 11788  
Columbia, S. C. 29211

Dear Mr. Forney:

In reference to a question raised to the procedure to be followed in transmitting those amounts designated for the Criminal Justice Academy and the South Carolina Law Enforcement Hall of Fame levied in association with fish and game law violations, it is the opinion of this Office that such funds should be forwarded in accordance with the following provision of Act No. 459 (R-521) of the 1978 Acts and Joint Resolutions:

Each and every magistrate, recorder, judge, mayor, clerk of court or other person who receives monies from fine or bond forfeitures in criminal or traffic cases shall transmit same to the city treasurer of the incorporated city where he performs his official duties, or to the county treasurer of his county in which he performs his official duties, making such transmittal no less frequently than once each month, and doing so on or before the tenth day of the month following the month being reported.

Thus there would be no variance in the procedure followed in transmitting those amounts accessed for purposes of the Academy and the Hall of Fame which are associated with fish and game law violations from the procedure followed in transmitting those amounts accessed for such purposes for other types of criminal cases. I understand that in the past magistrates have been forwarding those amounts designated for the Hall of Fame and the Academy directly to the South Carolina Wildlife Department presumably in keeping with [Section 50-1-150 of the 1976 Code](#) of Laws. However, as indicated, reference should be made to that portion of Act No. 459 above referenced.

With best wishes, I am

Very truly yours,

Charles H. Richardson  
Assistant Attorney General

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