

1978 WL 35202 (S.C.A.G.)

Office of the Attorney General

State of South Carolina

November 2, 1978

*1 Purvis W. Collins
Director
South Carolina Retirement System
Post Office Box 11960
Columbia, South Carolina 29211

Dear Mr. Collins:

You have requested an opinion as to the legal status of the Greenwood County Alcohol and Drug Abuse Commission. The Commission was created by Act No. 682 of 1973 as amended by Act No. 841 of 1976.

The members of the Commission are appointed by the governing body of Greenwood County. The Commission has been vested with the powers to enter into contracts, make binding agreements, and generally take such actions in its name as are necessary to accomplish the purposes described in § 5 of the aforesaid act, which purposes are to implement plans for the control of alcohol and drug abuse. Former § 4(h) of the act creating the Commission expressly provided that no county funds should be requested, accepted or expended by the Commission. However, the amendatory Act No. 841 of 1976 was specifically enacted to delete the prohibition against the use of county funds by the Commission. Prior to this 1976 act, there was at least a question as to whether an entity created by statute and whose members were appointed by the county governing board was an integral part of the county when it was prohibited from using county funds. However, this difficulty has disappeared with the removal of the prohibition against the use of county funds.

On the basis of the foregoing, it is the opinion of this Office that the Greenwood County Commission on Alcohol and Drug Abuse is an integral part of Greenwood County.

Sincerely yours,

Kenneth P. Woodington
Assistant Attorney General

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