

1975 WL 29447 (S.C.A.G.)

Office of the Attorney General

State of South Carolina

January 30, 1975

***1 In Re: Bill No. 1 relating to the Glenn Springs-Pauline Rural Fire District of Spartanburg County**

The Honorable James B. Edwards
Governor
Columbia, South Carolina

Dear Governor Edwards:

On January 28, 1975, a bill was submitted to you for approval or disapproval by you. The bill relates to the Glenn Springs-Pauline Rural Fire District of Spartanburg County and would empower the District to borrow not exceeding \$50,000 in anticipation of taxes and pledges the full faith, credit and taxing power of the District for the payment of the indebtedness. The bill would amend Act No. 768 of 1973, which act created the District, but did not empower it to incur indebtedness.

You have requested my opinion as to the constitutionality of this proposed act.

A general law was enacted in 1974, pursuant to the provisions of Article VIII of the Constitution of this State, to provide procedures for the incurring of debt by special service districts (Act No. 926, approved February 21, 1974).

The bill before you is a special law which would provide a departure from a general law and, in my opinion, is unconstitutional as being in violation of the provisions of Article VIII of the Constitution.

I therefore advise that, in my opinion, the proposed act would be unconstitutional.

Very truly yours,

Daniel R. McLeod
Attorney General

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