

1975 WL 28839 (S.C.A.G.)

Office of the Attorney General

State of South Carolina

February 25, 1975

*1 Honorable Harold E. Taylor
House of Representatives
Columbia, South Carolina 29211

Dear Mr. Taylor:

You have requested this office advise you as to whether or not the Richland County Delegation can hire an attorney. Act Number 581 of the 1971 Acts and Joint Resolutions [1971 (57) 1081] states at Section 2:

The county attorney shall represent and defend the county and all of its officers . . . The county attorney shall meet with the county legislative delegation and the county governing body whenever requested for the purpose of advising them as to any matters that may properly come before either body. (Emphasis added)

Section 3 of the same act establishes a prohibition against certain specified organizations, boards, etc. employing attorneys other than the county attorney. It would appear, therefore, that the obvious intent of the legislature was that the county attorney would represent the county as well as advise the legislative delegation.

It is therefore, the opinion of this office that the county attorney may be utilized by the legislative delegation. Act No. 581 of 1971 prohibits the Richland County Legislative Delegation from hiring their own attorney. Moreover, there is no statute of which we are aware which authorizes the Richland County delegation to employ their own attorney.

Very truly yours,

Treva G. Ashworth
Assistant Attorney General

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