

1975 WL 29596 (S.C.A.G.)

Office of the Attorney General

State of South Carolina

March 18, 1975

*1 Representative Marion Cornell
Representative James Moore
State House
Columbia, South Carolina

Gentlemen:

You have requested an opinion from this office as to the legality of the Greenwood County Council holding an advisory referendum on the question of building an exposition center in Greenwood County.

This office has consistently held that the holding of an advisory referendum requires specific legislative authority. See: 1963 OP.ATTY.GEN. No. 1559 at 129; 1970 OP.ATTY.GEN. No. 2935 at 190; 1966 OP.ATTY.GEN. No. 2119 at 366; 1969 OP.ATTY.GEN. No. 2659 at 75 (a copy of which is attached hereto); cf., 1966 OP.ATTY.GEN. No. 2104 at 209.

Our research fails to disclose that the Greenwood County Council has been granted such authority; that Council, therefore, cannot legally call for such a referendum.

With kindest regards,

Karen LeCraft Henderson
Assistant Attorney General

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