

1975 WL 29600 (S.C.A.G.)

Office of the Attorney General

State of South Carolina

March 19, 1975

***1 In Re: H-2364**

The Honorable James M. Morris
Senator
Box 10
Manning, South Carolina 29102

Dear Senator Morris:

You have requested my opinion as to the constitutionality of the above Bill which has for its purpose:

‘To establish the Council-Administrator form of government in Clarendon County and provide for its powers and duties.’

It is my opinion that legislation of this effect is contrary to the provisions of Article VIII of the Constitution of South Carolina. Section 7 of Article VIII requires that the structure, organization, powers, duties, functions and responsibilities of counties shall be provided by general law and enactments for a specific county are specifically prohibited.

Article VIII was ratified and became a part of the Constitution of the State on March 7, 1973, and since that date, laws of this type must be of a general nature.

In that H-2364 is not a general law, it is my opinion that its enactment would violate the provisions of the Constitution of this State.

With best wishes,
Very truly yours,

Daniel R. McLeod
Attorney General

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