

1975 WL 29027 (S.C.A.G.)

Office of the Attorney General

State of South Carolina

July 24, 1975

*1 Representative Richard M. Kenan
P. O. Drawer 639
Newberry, South Carolina 29108

Dear Representative Kenan:

You have requested information relating to the issuance of general obligation bonds by the City of Prosperity.

Sections 47-831 *et seq.* of the Code of Laws of South Carolina, 1962, as amended, comprise the Municipal Bond Act, a copy of which is herewith enclosed for your convenience. Section 47-834 of the Code provides:

The municipal council of any municipality may issue general obligation bonds of such municipality for any corporate purpose of such municipality to any amount not exceeding the constitutional debt limitation applicable, if such there be, under the conditions prescribed by this article.

The constitutional debt limitation applicable is not to exceed eight per centum of the assessed value of all the taxable property within the municipality. S.C.CONST. art. X, § 5. Inasmuch as the debt limitation is imposed by the State Constitution, the procedure to increase the bonded debt limit of the City of Prosperity would be by way of an amendment to Article X, Section 5 thereof. *See, e.g.*, 58 STAT. Act No. 67 at 74 (1973) (increasing the City of Gaffney's bonded debt limitation).

With kindest regards,

Karen LeCraft Henderson
Assistant Attorney General

1975 WL 29027 (S.C.A.G.)

End of Document

© 2018 Thomson Reuters. No claim to original U.S. Government Works.