

1975 WL 29197 (S.C.A.G.)

Office of the Attorney General

State of South Carolina

November 21, 1975

*1 The Honorable Michael L. Laughlin
Senator
Box 323
Aiken, South Carolina 29801

Dear Senator Laughlin:

You have requested an opinion as to the authority of the Aiken County Board of Commissioners to close the Aiken County Hospital.

The control, management and operation of the Hospital was vested in the Board of Trustees of the Hospital by an Act enacted in 1937. Subsequent to that, the power was given in an Act of 1972 to the Aiken County Board of Commissioners 'to alter, transfer or abolish the duties and functions of existing offices, agencies or departments.' 1972 Acts 2253.

In my opinion, the Aiken County Hospital is a county agency. Appropriations for the Hospital were formerly provided for in the annual County Supply Act and are now appropriated by the Board of Commissioners.

It is my opinion that the Board of Commissioners has the present authority to abolish the Aiken County Hospital under the foregoing statute and to approve the closing thereof.

In my opinion, the closing of the Hospital may be effected by the enactment of an ordinance by the County Board of Commissioners directing its closing. Any outstanding obligations of the Hospital must, of course, be appropriately assumed.

Very truly yours,

Daniel R. McLeod
Attorney General

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