

1974 WL 27443 (S.C.A.G.)

Office of the Attorney General

State of South Carolina

June 12, 1974

*1 The Honorable C. Walker Limehouse
City Attorney
City of Orangeburg
Post Office Box 627
Orangeburg, South Carolina 29115

Dear Walker:

Thank you for your letter of June 4, 1974, inquiring as to the extent of liability, if any, of a municipally-owned utility, engaged in business for a profit for the commission of a tort by it.

It is my opinion that no tort liability exists in this area. I base this on the case of [McKenzie v. City of Florence](#), 234 S.C. 428, 108 S.E.2d 825, which establishes that there is no distinction between governmental agencies or operations, whether in a proprietary or governmental capacity.

With best wishes,
Very truly yours,

Daniel R. McLeod
Attorney General

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