

1974 WL 27815 (S.C.A.G.)

Office of the Attorney General

State of South Carolina

June 12, 1974

*1 Rawl, Purcell & Harman
Attorneys at Law
204 E. Main Street
P. O. Box 856
Lexington, S. C. 29702

Dear Mr. Rawl:

Attorney General McLeod referred to me your request for an opinion concerning the legality of a local School Board's becoming a member of the S. C. School Board Association and its affiliates and thereby receiving the benefits of these organizations. Basically the question here is whether such membership is for a public or purely private purpose. Naturally, fringe benefits such as liability insurance for the members is of a purely private benefit since the State and its political subdivisions are immune to tort liability in this type of situation. However, it is my opinion that such liability insurance is only an incidental benefit attached to the membership in this organization, and I find no requirement of specific legislative authorization for expenditures for merely incidental benefits. In conclusion, I feel that the payment of dues for such membership constitutes a valid expenditure of public funds for a public purpose.

Please contact me if I may be of further assistance.

Sincerely,

Hardwick Stuart, Jr.
Assistant Attorney General

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