

1974 WL 27901 (S.C.A.G.)

Office of the Attorney General

State of South Carolina

August 6, 1974

\*1 Honorable Allen R. Carter  
Chairman  
Charleston County Joint Legislative Delegation  
P. O. Drawer 5818  
North Charleston, South Carolina 29406

Dear Senator Carter:

You have requested an opinion from this office as to the constitutionality of a proposed bill which would effect substantial changes in the present structure and organization of the governing body of the City of Charleston, to wit: the bill would amend Sections 47-1543, 47-1544, 47-1545 and 47-1546 of the 1962 Code of Law of South Carolina, as amended, and a new Section, 47-1547, would be added to the Code

The opinion of this office is that the proposed legislation is most probably unconstitutional as violative of Sections 1, 9 and 10 of Article VIII, the Local Government Article, of the South Carolina Constitution of 1895. The intent of the General Assembly, as well as that of the drafters, is expressly stated in the language of the Sections hereinabove cited, which prohibits the enactment of laws for a specific municipality.

With kind regards,

Karen LeCraft Henderson  
Assistant Attorney General

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