

1973 WL 26627 (S.C.A.G.)

Office of the Attorney General

State of South Carolina

February 21, 1973

***1 In re: General Sessions Court, Fines to Towns.**

Honorable Dale A. Boyer
Chief of Police
Prosperity, South Carolina 29127

Dear Chief Boyer:

Fines paid into General Sessions Court go into the county treasury for county purposes unless there is a special statutory provision directing specifically that such monies be paid over to a municipality or some State agency.

Fines levied for unlawful possession of pistols, for example, go to the city or town when the violation occurred within the town or city—even though the case is handled in General Sessions Court. Section 16-129.7, S. C. Code of Laws, as amended. Another example is Section 32-1510.69, providing that fines levied in drug violation cases be paid over to the Commissioner of Narcotics and Controlled Substances.

When you inquire about fines from traffic cases, I assume you are referring to drunk driving (2nd and subsequent offenses), and reckless homicide or involuntary manslaughter cases arising out of motor vehicle accidents. I see no provision stipulating that fines imposed for such offenses be paid over, in whole or in part, to a town or city.

Yours very truly,

Joseph C. Coleman
Deputy Attorney General

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