

1973 WL 26654 (S.C.A.G.)

Office of the Attorney General

State of South Carolina

March 12, 1973

***1 Re: Building Commission of the City & County of Florence**

Honorable Purvis W. Collins
Director
S. C. Retirement System
P. O. Box 11960
Columbia, South Carolina 29211

Dear Mr. Collins:

You have asked for an opinion as to the legal status of the above Commission and also as to whether it meets the requirements of Section 61-1(5), Code of Laws of South Carolina (1962). The Building Commission of the City and County of Florence was created by Act No. 818 of 1966. Pursuant to the provisions of the Act, the members of the Commission are appointed by the Governor and the Commission is given the power of eminent domain and the power to enter into long term leases with the City of Florence, the State of South Carolina and other governmental agencies for various portions of the city-county office building. The Commission also has the power to direct the auditor and treasurer of Florence County to levy and collect ad valorem taxes to provide sufficient operating revenues for the building.

On the basis of the foregoing, it is the opinion of this office that the Building Commission of the City and County of Florence is an independent subdivision of the State of South Carolina, and as such is an 'employer' within the meaning of Code Section 61-1(5).

With kindest personal regards.

Yours truly,

Randall T. Bell
Assistant Attorney General

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