

1973 S.C. Op. Atty. Gen. 259 (S.C.A.G.), 1973 S.C. Op. Atty. Gen. No. 3594, 1973 WL 21049

Office of the Attorney General

State of South Carolina

Opinion No. 3594

August 9, 1973

\*1 The Honorable P. C. Smith  
State Auditor  
Post Office Box 11333  
Columbia, South Carolina 29211

Dear Mr. Smith:

You have recently inquired as to whether an appropriation may be made from the State Treasury pursuant to the terms of a Concurrent Resolution.

I advise that, in my opinion, an appropriation may only be made pursuant to an authorization which carries the force of law, and such authorization must conform to certain constitutional requirements. A Concurrent Resolution does not conform to such constitutional requirements. Appropriations are, therefore, required to be made pursuant to an Act or Joint Resolution. Previously, legislative authority for committees has normally carried with it language authorizing payment of expenses to be paid from the Approved Accounts of either or both Houses of the Legislature, but the Concurrent Resolution submitted by you does not have such language.

I, therefore, advise that, in my opinion, the Concurrent Resolution submitted by you does not authorize the expenditure of funds from the State Treasury.

Very truly yours,

Daniel R. McLeod  
Attorney General

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