

1973 S.C. Op. Atty. Gen. 281 (S.C.A.G.), 1973 S.C. Op. Atty. Gen. No. 3610, 1973 WL 21065

Office of the Attorney General

State of South Carolina

Opinion No. 3610

August 27, 1973

**\*1 A trustee may not lawfully be financially interested in the sale of school books to the schools of his own district or to those of any other school district in this State.**

Superintendent

Saluda School District No. One

A member of the Saluda School District No. One Board of Trustees is a representative of Economy Company which publishes paper-bound materials for schools. He has an agreement with his employer that he will receive no commission on any sales that are made to Saluda School District No. One. You request that we advise you as to whether or not Section 21–509 of the South Carolina Code of Laws would be applicable to that factual situation.

Section 21–509 reads in part as follows:

It shall be unlawful for . . . any trustee of any [public] school . . . to . . . be in anywise pecuniarily interested in the introduction of any schoolbook into any school in this State . . .

Assuming, therefore, that Economy Company's paper-bound materials constitute 'schoolbooks,' we are of the opinion that Section 21–509 would apply. That statute serves to prohibit one from serving as a trustee who is, in any way, financially interested in the sale of schoolbooks to the schools of his own district or to those of any other school district in South Carolina. As we gather from your letter, the trustee will be pecuniarily interested in the sale of schoolbooks to the public schools of districts other than his own. *Cf.*, 1969 OP. ATTY. GEN. 348.

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Deputy Attorney General

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