

1973 WL 27728 (S.C.A.G.)

Office of the Attorney General

State of South Carolina

November 7, 1973

*1 Mr. Gerald W. Burnett
Executive Assistant
Office of the Comptroller General
Post Office Box 11228
Columbia, South Carolina 29211

Dear Mr. Burnett:

Thank you for your letter of October 25, 1973, forwarding a letter from Xerox Corporation, which inquires as follows:

1. May the State of South Carolina pay interest charges on unpaid balances?

The State may enter into contracts and there are no specific statutory provisions relating to interest charges to be paid. Interest on unpaid balances would be subject to the same restrictions as are imposed upon individuals.

2. May the State or an agency of the State sign an agreement which commits yet unencumbered funds for future years?

State agencies may enter into contracts extending beyond the terms of office of the members of the governing body of the agency unless the contract is related to governmental or legislative functions or involves a matter of discretion. In contracts relating to business or proprietary affairs, officers may enter into contracts extending beyond their terms. It is my opinion that the time purchase contracts for such equipment, such as that referred to in the letter transmitted, relate to business or proprietary affairs and may be entered into, even though they extend beyond the terms of the officers executing such contracts.

Very truly yours,

Daniel R. McLeod
Attorney General

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