

1972 S.C. Op. Atty. Gen. 19 (S.C.A.G.), 1972 S.C. Op. Atty. Gen. No. 3238, 1972 WL 20386

Office of the Attorney General

State of South Carolina

Opinion No. 3238

January 1, 1972

***1 Contributions to Pickens High School for use to enlarge the stadium is an allowable deduction for South Carolina income tax purposes.**

Attorney at Law

Pickens, S. C.

Contributions are being solicited and received for the purpose of enlarging the Pickens High School Stadium and you have requested of the Honorable Wyatt Durham an opinion of whether such contributions are deductible for South Carolina income tax purposes.

Section 65-259 provides for the deduction and subparagraph 5(a) authorizes as a deduction contributions by a corporation to the State or any political subdivision thereof, for exclusive public purposes. The amount of all deductions allowed under the paragraph is however limited to 5% of the corporation's net income. Subparagraph (14) of the Section provides a deduction for individuals as follows:

‘Contribution or gifts made by individuals within the taxable year to the State or any political subdivision thereof for public purposes and not in excess of thirty percent of a taxpayers' adjusted gross income.’

It is assumed that the contribution will be made to the school district for the purpose of enlarging the athletic stadium and the same would therefore be deductible for South Carolina income tax purposes provided the same do not exceed the limitation provided in the Section.

Joe L. Allen, Jr.

Assistant Attorney General

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