

1972 WL 25167 (S.C.A.G.)

Office of the Attorney General

State of South Carolina

January 5, 1972

***1 In Re: Proposed Inland Ports—S. C. Ports Authority**

Honorable Thomas W. Edwards, Jr.
Member
House of Representatives
Spartanburg County
The State House
Columbia, South Carolina

Dear Mr. Edwards:

You have inquired as to the authority of the South Carolina State Ports Authority to establish and maintain so-called inland ports in the interior of the State.

An act of 1970 [1970 (56) 1972] empowers the South Carolina State Ports Authority to apply for designation of foreign-trade zones anywhere in the State and to erect, maintain, and operate any facilities necessary to the zone—in accord with the Foreign-Trade Zones Act (19 USCA 81(a), et seq.). The Federal act, however, refers to zones for receipt of goods from foreign countries. There is no specific authorization in the 1970 State Act for the establishment of inland ports to be operated by the SCSPA for domestic goods.

It is probable that a foreign-trade zone facility, established under authority of the 1970 State Act, could be operated for general commerce without serious valid objection, but, in order to insure unquestioned validity, it is suggested that legislation be sought to empower the SCSPA specifically to establish and maintain the proposed inland ports to handle goods in commerce generally.

Yours very truly,

Joseph C. Coleman
Assistant Attorney General

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