

The State of South Carolina



Office of the Attorney General

T. TRAVIS MEDLOCK
ATTORNEY GENERAL

REMBERT C. DENNIS BUILDING
POST OFFICE BOX 11549
COLUMBIA, S.C. 29211
TELEPHONE: 803-734-3680
FACSIMILE: 803-253-6283

May 10, 1990

William R. Ballou, Administrator
The Housing Authority of the City
of Columbia, South Carolina
1917 Harden Street
Columbia, SC 29204

Dear Mr. Ballou:

Your letter of April 6, 1990, has been referred to me for reply. You have requested an opinion as to whether the Housing Authority of the City of Columbia is a "governmental body" as defined by §11-35-310(18), 1976 Code of Laws of South Carolina, as amended. That section provides in part that the term "governmental body" excludes "all local political subdivisions such as counties, municipalities, school districts or other public service or special purpose districts."

We assume that the Columbia Housing Authority was created pursuant to §31-3-310, et seq. It would thus appear clear that the Authority falls within the above-quoted class of entities excluded from the definition of "governmental body" in §11-35-310(18).

Nevertheless, we would call your attention to §11-35-50, which provides that "[a]ll political subdivisions shall adopt ordinances embodying sound principles of appropriately competitive procurement no later than July 1, 1983." We express no opinion as to whether the Authority is required by this section to develop its own procurement regulations or whether it is bound by those of the City of Columbia. However, §11-35-50 indicates that the Authority would be required to follow some form of procurement

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regulations even though those would not necessarily be the provisions of the State Procurement Code.

Sincerely yours,



Kenneth P. Woodington
Senior Assistant Attorney General

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REVIEWED AND APPROVED:



EDWIN E. EVANS
Chief Deputy Attorney General



ROBERT D. COOK
Executive Assistant for Opinions