

1982 WL 189310 (S.C.A.G.)

Office of the Attorney General

State of South Carolina

June 1, 1982

*1 Col. William H. Shackelford
Chief of Staff
Office of the Adjutant General
Rembert C. Dennis Building
1000 Assembly Street
Columbia, South Carolina 29201

Dear Col. Shackelford:

You have requested an opinion from this office as to whether an appropriation by the County of Spartanburg to Spartanburg County National Guard Units to be used for operating expenses for local armories would violate [Article X, Section 11 of the South Carolina Constitution](#). This section provides, *inter alia*:

The credit of neither the State nor any of its political subdivisions shall be pledged or loaned for the benefit of any individual, company, association, corporation or any religious or other private educational institution except as permitted by [Section 3, Article XI of this Constitution](#).

The South Carolina National Guard, being an agency of State government established by Section 25-1-10, *et seq.*, of the South Carolina Code of Laws (1976), does not fall within the provisions of [Article X, Section 11](#), since it is not an 'individual, company, association, corporation or any religious or other private educational institution.' Therefore, it is not really necessary to determine if the use of the funds meet the 'public purpose' test of this Constitutional provision. However, it is eminently clear that the use of County funds to defray operating expenses of the Spartanburg County armories which are used for the military training of national guardsmen would constitute a 'public purpose.'

I am also enclosing for your information a previous opinion written by Senior Assistant Attorney General Karen LaCraft Henderson to an inquiry from Cherokee County reference a similar appropriation to the National Guard. If I can be of further assistance to you in this matter, please do not hesitate to contact me.

Very truly yours,

Richard B. Kale, Jr.
Senior Assistant Attorney General

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