

1982 WL 189490 (S.C.A.G.)

Office of the Attorney General

State of South Carolina

November 19, 1982

*1 Edgar A. Vaughn, Jr.
State Auditor
407 Wade Hampton Office Building
Post Office Box 11333
Columbia, South Carolina 29211

Dear Mr. Vaughn:

Upon review of your letter of November 8, 1982, and attached correspondence from Dr. Henry G. Hollingsworth, Jr., and Dr. W. B. Royster, we advise that in our opinion anticipated State aid which a school district expects to receive for Fiscal Year 1983-84 in the Appropriations Bill, may not be utilized to meet budget reductions in the present Fiscal Year.

We understand that the Budget and Control Board has in the past approved the use by some school districts of these State aid funds which were already in hand, and being held in escrow for the account of the district. However, such funds were already appropriated and available. While Dr. Royster fully expects, and rightly so, that the General Assembly will appropriate State aid funds for Fiscal Year 1983-84, such appropriation has not yet been made and such funds do not now exist and cannot be made available for use in budget adjustments for the present Fiscal Year.

Section 29 of the 1982 Appropriations Act, Part IV B, School Planning and Building, provide 'State aid: aid to school districts —school buildings \$18,385,303.00.' That appropriation is, of course, for the present Fiscal Year and provides no legal basis for anticipation that the same or any amount will be appropriated for next year. If you have further question, do not hesitate to call.
Sincerely,

Frank K. Sloan
Deputy Attorney General

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