

1982 WL 189437 (S.C.A.G.)

Office of the Attorney General

State of South Carolina

September 23, 1982

*1 Mr. Francis K. Sullivan
Executive Secretary
Charleston County Legislative Delegation
Post Office Box 487
Charleston, SC 29402

Dear Mr. Sullivan:

You have requested an opinion whether the Charleston County Legislative Delegation should continue to enact local legislation for Charleston County, levying a tax for Charleston County to make up Charleston County's share of the operational budget of the Trident Technical College. Specifically, you have asked whether [§ 4-9-30\(13\), Code of Laws of South Carolina, 1976](#), would allow this matter to be accomplished by Charleston County Council.

It is the opinion of this Office that county councils generally have not been given the power under the Home Rule Act to levy a tax for technical education. There is no other general law that would authorize Charleston County to levy a tax for this purpose. Therefore, [§ 4-9-30\(13\), id.](#), would not by itself authorize the County to levy a tax for that purpose.

It should be noted that the Area Commission for the Berkeley-Charleston-Dorchester Technical Education Center is directed to submit its budget to each of the three legislative delegations annually. [§ 59-53-440, id.](#) Therefore, it appears that the enabling legislation contemplates that funding for the commission shall be provided by the respective delegations.

Sincerely yours,

David C. Eckstrom
Assistant Attorney General

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