

1980 WL 120717 (S.C.A.G.)

Office of the Attorney General

State of South Carolina

June 16, 1980

\*1 Honorable Daisy P. Porter  
Judge of Probate  
Saluda County  
Saluda, South Carolina 29138

Dear Judge Porter:

In response to your request for an opinion from this Office as to the intent of [Section 4-11-170, CODE OF LAWS OF SOUTH CAROLINA](#), 1976, as amended, my opinion is that its prohibition against an 'extra allowance' for any salaried official speaks to an additional salary or other compensation as opposed to reimbursement for actual expenses incurred. See generally, 63 AM.JUR.2d [Public Officers and Employees](#) § 388 (1972); *cf.*, [County of Richland v. American Surety Co. of New York](#), 92 S.C. 329 (1912); [Seroggie v. Searborough](#), 162 S.C. 218 (1931). Nevertheless, there is no express statutory duty imposed upon a county council of which I am aware to reimburse a probate judge for travel expenses as there is for such things as office space and support personnel. See, [§ 14-23-1130, CODE OF LAWS OF SOUTH CAROLINA](#), 1976, (Cum.Supp.).

With kind regards,

Karen LeCraft Henderson  
Senior Assistant Attorney General

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