

1980 WL 120776 (S.C.A.G.)

Office of the Attorney General

State of South Carolina

July 21, 1980

*1 Honorable James E. Kinard, Jr.
Member
House of Representatives
407 Blatt Building
Columbia, South Carolina 29211

Dear Representative Kinard:

In response to your request for an opinion from this Office as to the authority of the Capital View Fire District to negotiate a loan with the Farmers Home Administration, my opinion is that it is most probably so authorized so long as it remains in existence. A special purpose district created pursuant to [Sections 6-11-10 et seq., CODE OF LAWS OF SOUTH CAROLINA](#), 1976, as amended, pursuant to which, as I understand it, the Capital View Fire District was created, has specific statutory authority to: . . . avail [itself] of any provision for loans to construct . . . fire protection systems . . . from the United States Government, through any office or agency thereof, and may issue revenue bonds pledging the income from any such system in liquidation of any loan made as aforesaid by the United States Government. [§ 6-11-250, CODE OF LAWS OF SOUTH CAROLINA](#), 1976, as amended.

Therefore, until and unless the District is dissolved pursuant to [Section 4-9-80, CODE OF LAWS OF SOUTH CAROLINA](#), 1976, as amended, and Act No. 295 of 1979 [61 STAT. 787 (1979)], it possesses the power to secure government loans under [Section 6-11-250 of the Code](#).

With kind regards,

Karen LeCraft Henderson
Senior Assistant Attorney General

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