

1980 WL 120873 (S.C.A.G.)

Office of the Attorney General

State of South Carolina

September 16, 1980

\*1 H. Wayne Unger, Jr., Esquire  
McLeod, Fraser & Unger  
Post Office Drawer 230  
Walterboro, South Carolina 29488

Dear Mr. Unger:

In response to your request concerning the proposed ordinance as to the Colleton County Hospital Board of Trustees, my opinion is that it does not vest that Board with the power to tax (nor could it unless it is set up as a hospital special tax district pursuant to [Section 4-9-30\(5\), CODE OF LAWS OF SOUTH CAROLINA, 1976](#), as amended, and then it could not be independent from the Colleton County Council). Second, inasmuch as the ordinance recites that the Board is to be 'as established by Act No. 150, [Acts and Joint Resolutions of South Carolina, 1943](#),' the method of selection as specified therein is the one which should be utilized.

With kind regards,

Karen LeCraft Henderson  
Senior Assistant Attorney General

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