

1980 WL 120986 (S.C.A.G.)

Office of the Attorney General

State of South Carolina

December 3, 1980

**\*1 Re: Dorchester Human Development Corporation**

Purvis W. Collins  
Director  
S.C. Retirement System  
Sol Blatt Building  
2nd Floor  
Columbia, South Carolina 29201

Dear Mr. Collins:

You have requested an opinion as to whether the above entity is an employer within the meaning of § 9-5-30(2), which incorporates the definition of § 9-1-10(5). You have enclosed the Certificate of Incorporation of the corporation and the Constitution, both of which indicate that it is a private eleemosynary corporation.

Section 9-1-10(5) defines 'employer' as the State, counties, municipalities, other political subdivisions of the State and certain specifically named entities such as City Boards of Education. Since a private eleemosynary corporation is plainly not a political subdivision of the State nor any of the entities specifically listed, it is the opinion of this Office that the corporation is not eligible for participation in the Retirement System.

Sincerely yours,

Kenneth P. Woodington  
Assistant Attorney General

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