

1976 S.C. Op. Atty. Gen. 162 (S.C.A.G.), 1976 S.C. Op. Atty. Gen. No. 4337, 1976 WL 22956

Office of the Attorney General

State of South Carolina

Opinion No. 4337

April 22, 1976

*1 The Honorable T. Ed Garrison
State Senator
Route 2
Anderson, South Carolina 29621

Dear Senator Garrison:

You have inquired as to whether a reduction in number may be provided by law for the board of trustees of Anderson Memorial Hospital without violating the prohibition against special legislation.

It is my opinion that an amendment of the law fixing the number of trustees at less than six would most probably be unconstitutional.

The membership upon the board is provided for by an act approved July 12, 1957 (57 Acts 790) and an act approved April 18, 1958 (58 Acts 2085). The statute provides for six trustees. After 1980, amendments of statutes of this nature can only be made by the governing board of the county.

An amendment at the present time would, in all probability, be construed to impinge upon powers reserved to the counties and, for that reason, I believe that it would most probably be invalid because it would constitute a special law for a particular county.

Very truly yours,

Daniel R. McLeod
Attorney General

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