

1979 WL 43478 (S.C.A.G.)
Office of the Attorney General
State of South Carolina
July 23, 1979

***1 RE: Requested Attorney General's Opinion**

Dr. J. Truett Willis
Director
Wil Lou Gray Opportunity School
W. Campus Road
West Columbia, South Carolina 29169

Dear Dr. Willis:

In response to your request for an Opinion concerning the authority of the Opportunity School pursuant to [§ 59-51-40, Code of Laws of South Carolina](#), 1976, you will please find enclosed a copy of the Opinion of A. Camden Lewis, Assistant Attorney General, dated September 13, 1976. The Attorney General's Opinion authored by Mr. Lewis is dispositive of your question; moreover, I have enclosed a copy of [§ 59-119-60](#), which was the authority of Clemson University which was considered in the enclosed Opinion. As you can see both Clemson University and the Opportunity School are declared bodies politic by the South Carolina General Assembly, and both institutions have been granted authority to 'securely invest all funds and keep all property which may come into its possession.'

In his Opinion, Mr. Lewis pointed out that [§ 11-13-30](#), granting sole authority to invest public funds to the State Treasurer, was enacted after Clemson University's authority to invest funds. Similarly, the State Treasurer's authority was enacted after the authority of the Opportunity School to invest funds; [§ 59-51-40](#) having been enacted by the General Assembly in 1957 and [§ 11-13-30](#) having been enacted in 1971.

Therefore, I am of the Opinion that funds coming into the possession of the Opportunity School may only be invested by the State Treasurer pursuant to his express authority in [§ 11-13-30](#).

Please call upon me if you have any further questions concerning this matter.

With kindest regards,
Sincerely,

Paul S. League
Assistant Attorney General

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