

1979 WL 43593 (S.C.A.G.)

Office of the Attorney General

State of South Carolina

September 18, 1979

\*1 William H. Seals  
Marion County Attorney  
Post Office Box 183  
Marion, South Carolina 29571

Dear Mr. Seals:

In response to your request for an opinion from this Office as to whether or not the Marion County Council (Council) is authorized to make payments directly to individual members of the Marion County Legislative Delegation (Delegation) to cover their respective expenses as members in lieu of providing the Delegation with office space, personnel, supplies and equipment necessary to conduct Delegation business, my opinion is that there is no authority for the Council to so act. Section 3 of Act No. 283 of 1975, the 'home rule' legislation, provides in part that:

. . . county councils shall provide office space and appropriations for the operation of the county legislative delegation office including compensation for staff personnel and necessary office supplies and equipment . . . [Emphasis added.]

This language clearly contemplates the establishment and maintenance by each county of one legislative delegation office and does not, in my opinion, authorize the payment of expenses for conducting delegation business to individual delegation members who maintain private business offices of whatever nature.

I am enclosing herewith copies of previous opinions which discuss our Office's interpretation of the scope and intent of the above-quoted provision.

With kind regards,

Karen LeCraft Henderson  
Senior Assistant Attorney General

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