

1978 WL 34961 (S.C.A.G.)

Office of the Attorney General

State of South Carolina

June 27, 1978

*1 Harris A. Marshall, Jr., Esquire
Orangeburg County Attorney
Post Office Box 21
Orangeburg, South Carolina 29115

Dear Mr. Marshall:

In response to your request for a reconsideration of certain opinions expressed in my letter of April 5, 1978, to the Aiken County Treasurer, I believe that county treasurers are most probably authorized to invest school district funds pursuant to [Section 12-45-220, CODE OF LAWS OF SOUTH CAROLINA, 1976](#), notwithstanding the provisions of [Section 59-69-250, CODE OF LAWS OF SOUTH CAROLINA, 1976](#). The statutes can be harmonized in the following way: although the county treasurer is required to carry forward all unexpended school funds to the next fiscal year ([§ 59-69-250](#)), he is also authorized to invest any sum of money not needed for current expenses ([§ 12-45-220](#)) and, consequently, can invest those unexpended funds which he must carry forward. I am enclosing a copy of an earlier opinion written by Deputy Attorney General Joseph L. Allen, Jr., concluding that the interest earned on invested school district funds belongs to the school district. I believe that this matter may be the subject of litigation in Horry County in the near future.

With kind regards,

Karen LeCraft Henderson
Senior Assistant Attorney General

1978 WL 34961 (S.C.A.G.)

End of Document

© 2017 Thomson Reuters. No claim to original U.S. Government Works.