

1976 WL 30815 (S.C.A.G.)

Office of the Attorney General

State of South Carolina

October 1, 1976

*1 Mr. Russell B. Shetterly
Executive Director
South Carolina Association of Counties
1227 Main Street
Columbia, South Carolina 29201

Dear Mr. Shetterly:

You have requested an opinion from this Office as to whether or not a county governing body, after having adopted a budget by ordinance, has to take any further action by ordinance in order to disburse funds for a purpose specified in the budget. In my opinion, it does not.

The provisions of Act No. 283 of 1975, the 'home rule' legislation, require only that 'legislative' action of the county governing body be taken by ordinance. § 14-3709. All non-legislative actions, therefore, may be taken by resolution or, in the case of the paying out of specific funds already budgeted, by simply authorizing the disbursement thereof inasmuch as the legislative action adopting the budget will have already been taken by the passage of the budget ordinance. Cf., 5 McQUILLIN MUNICIPAL CORPORATIONS § 15.07 at 58-62 (3rd Ed. 1969).

With kind regards,

Karen LeCraft Henderson
Assistant Attorney General

1976 WL 30815 (S.C.A.G.)

End of Document

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