

1975 WL 28861 (S.C.A.G.)

Office of the Attorney General

State of South Carolina

May 27, 1975

*1 The Honorable Horace K. Vanderford
Member
House of Representatives
Union County
The State House
Columbia, South Carolina

Dear Mr. Vanderford:

You have inquired as to what effect the failure to enact a Supply Act for the ensuing fiscal year will have.

In such cases, the provisions of Section 14-19 of the Code of Laws for South Carolina are applicable. This section reads: 'If no county appropriation act is enacted at any session of the General Assembly to provide for the county government of any county of the State then the appropriation, terms and conditions contained in the last enacted county appropriation act of such county shall be continued for an additional year; provided, that only usual appropriations and no special appropriations for unusual purposes, if contained in such act, shall be held as appropriated by the continuance of such act.'

I advise also that Judge James Morrison has recently handed down an Order which held that the County Supply Act for Horry County was invalid on the grounds that since the enactment of the local government constitutional amendment (Article VIII) in 1973, all revenue-raising power must be vested in the counties. This decision is now on appeal to the Supreme Court of South Carolina and it is hoped that it will be heard at the June term commencing next month.

With best wishes,
Very truly yours,

Daniel R. McLeod
Attorney General

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