

1975 WL 29034 (S.C.A.G.)

Office of the Attorney General

State of South Carolina

July 28, 1975

*1 The Honorable Thomas E. Smith, Jr.
Senator
Florence, Marion, Horry and Williamsburg Counties
100 Walnut Street
Pamplico, South Carolina 29583

Dear Senator Smith:

In response to your request for an opinion as to the effective date of that part of Part I, Section 3 of Act No. 283 of 1975, the 'home rule' legislation, which relates to the operation of the county legislative delegation office, I enclose herewith a copy of a June 30, 1975, opinion requested by Mr. Russell B. Shetterly of the South Carolina Association of Counties. While that opinion does not precisely answer the question you have asked, it does discuss the effective date of the powers granted to counties by Act No. 283. Inasmuch as the aforementioned Section 3 begins with the words:

After one of the forms of county government, other than the board of commissioners form, provided for in this act has been adopted and becomes effective, . . .

and, further, inasmuch as that part of Section 3 relating to the operation of the county legislative delegation office begins as follows:

Under all forms of county government except the board of commissioners form, . . .

the opinion of this office is that the provision of the 'home rule' legislation relating to the operation of the county legislative delegation office becomes effective after one of the forms of government, other than the board of commissioners form, therein provided for becomes effective as discussed more fully in the enclosed opinion.

With kind regards,

Karen LeCraft Henderson
Assistant Attorney General

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