

1975 S.C. Op. Atty. Gen. 154 (S.C.A.G.), 1975 S.C. Op. Atty. Gen. No. 4078, 1975 WL 22375

Office of the Attorney General

State of South Carolina

Opinion No. 4078

August 12, 1975

*1 A proviso inserted in an appropriations bill, unless there are indications to the contrary, must be complied with for the release of the appropriated money.

TO: Assistant Director
Parks, Recreation and Tourism

QUESTION:

If the new appropriations bill contains a proviso requiring Parks, Recreation and Tourism to hold competitive presentations for in-state and out-of-state advertising agencies, and such presentations were completed the previous year, must competitive presentations be held again for the release of the money?

DISCUSSION:

In general, when a proviso is attached to an appropriations bill, such proviso must be complied with before the money can be released. Section 1-701, CODE OF LAWS OF SOUTH CAROLINA (1962) (as amended). Also, see Section 30-205, CODE OF LAWS OF SOUTH CAROLINA (1962) (as amended). In the present situation, there is nothing in the bill to indicate that the above-stated understanding does not apply. It appears, therefore, it was the General Assembly's intent to release this money in question to Parks, Recreation and Tourism only when competitive presentations were held for in-state and out-of-state advertising agencies.

CONCLUSION:

Parks, Recreation and Tourism must hold competitive presentations for in-state and out-of-state advertising agencies again this year, in accordance with the proviso inserted in the appropriations bill, in order for the money to be released.

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