

1974 WL 27622 (S.C.A.G.)

Office of the Attorney General

State of South Carolina

February 11, 1974

*1 The Honorable Samuel B. Mendenhall
State Senator
Post Office Box 342
Rock Hill, South Carolina 29730

Dear Senator Mendenhall:

Thank you for your letter of February 1, 1974, inquiring as follows:

'In 1972, an act bearing Ratification No. 1392 was passed through the General Assembly which amended an act of 1969 bearing Ratification No. 804 allowing York School District No. 2 (Clover) to issue bonds in the amount of \$1,983,000.00 without an election.

'We now have a request from the Clover School Board requesting that this act be amended whereby the Clover School Board would be authorized to issue bonds up to their authorized debt limitation.'

While no decisions of the Supreme Court of South Carolina have been issued construing the provisions of Article VIII of the local government amendment, ratified March 7, 1973, it is my opinion that it will most probably approve such legislation on the ground that the financial affairs of school districts are rationally of such a diverse nature as to preclude uniform treatment. Similar views were expressed to The Honorable Julius H. Baggett in a letter dated June 28, 1973, a copy of which is herewith enclosed, as is a copy of the opinion dated June 5, 1973, and directed to The Honorable William W. Doar, Jr.

I therefore advise that, in my opinion, the proposed measure is most probably constitutional against a contention that it constitutes special legislation.

Very truly yours,

Daniel R. McLeod
Attorney General

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