

1974 WL 27197 (S.C.A.G.)

Office of the Attorney General

State of South Carolina

February 19, 1974

***1 RE: No. 116—General Assembly**

Honorable Wheeler M. Tillman
Member
House of Representatives
State House
Columbia, South Carolina

Dear Mr. Tillman:

You have requested that we advise you as to whether or not the Charleston County Legislative Delegation may establish a committee to investigate the activities of the Charleston County Council.

While the Charleston County Legislative Delegation, acting alone, is without authority to establish such a committee, one could be created by either a concurrent or a joint legislative resolution of the General Assembly. See, e.g., 72 AM.JUR.2d States, etc., § 51 at 450. The latter possesses the power to investigate any subject with respect to which it may desire information in aid of the proper discharge of its function to make or unmake laws; 81 C.J.S. States § 43 at 960; 73 AM.JUR.2d States, etc., §§ 50 and 53 at 448 end 452; and private citizens, as well as members of the General Assembly may serve on an investigating committee. 81 C.J.S. States § 42 at 960.

You should note that where an investigation is an aid of legislative functions, it is no objection that the subject may also be a proper concern of the courts and grand juries. 72 AM.JUR.2d States, etc., § 54 at 454.

Kind regards,

C. Tolbert Goolsby, Jr.

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