

1974 WL 27174 (S.C.A.G.)

Office of the Attorney General

State of South Carolina

June 18, 1974

***1 RE: No. 270-Schools**

Mr. George W. Leiby
Principal
North District Schools
P. O. Box 386
North, South Carolina

Dear Mr. Leiby:

You have requested that we advise you as to whether or not a school district may lawfully use for another purpose State-aid funds appropriated to supplement teacher salaries?

The State Constitution expressly provides in Article 10, Section 9 that no money shall be drawn from the treasury except pursuant to an appropriation made by law; hence, public funds cannot be applied to any purpose not authorized by law. [Butler v. Ellerbe, 44 S.C. 256, 22 S.E. 425](#); see also 63 AM.JUR.2d [Public Funds](#) § 45 at 435.

Clearly, funds appropriated by the General Assembly to supplement teacher salaries cannot be used for any other purpose absent a statute authorizing the diversion of those funds to some other purpose; and there is no such statute.

Kindest regards,

C. Tolbert Goolsby, Jr.

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