

1974 WL 27906 (S.C.A.G.)

Office of the Attorney General

State of South Carolina

August 7, 1974

***1 Re: No. 208—Municipal**

Mr. Barney O. Smith
Legal Clerk
The City of Greenville
Greenville, South Carolina

Dear Mr. Smith:

In your letter of August 1, 1974, you seek our advice as to whether or not the City Council of Greenville may constitutionally establish a scholarship program for the children of municipal employees. We do not believe that it may.

In South Carolina, municipal money may be expended only for public purposes. S.C.CONST. art. VIII, § 3 (1895); see also, Id. art. VIII, § 6. In determining whether or not a particular expenditure is for a 'public purpose,' there must be 'a determination that the objects sought are needed by all or a large number of the public, cannot be supplied by private enterprise . . . , will benefit primarily the whole of society, and are in line with the historical development of the community.' RMYNE, Municipal-Law § 154-4 at 343-344. A proposal to give merit scholarships to children of municipal employees, in our view, meets none of those criteria.

Best wishes,

C. Tolbert Goolsby, Jr.

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