CHAPTER 27

State Aid to Subdivisions Act

**SECTION 6‑27‑10.** Short title.

 This chapter may be cited as the State Aid to Subdivisions Act.

HISTORY: 1991 Act No. 171, Part II, Section 22A.

**SECTION 6‑27‑20.** Local Government Fund; fund exempt from mid‑year cuts; exception.

 There is created the Local Government Fund administered by the State Treasurer. This fund is part of the general fund of the State. It is the intent of the General Assembly that this fund not be subject to mid‑year cuts. However, if mid‑year cuts are mandated by the Executive Budget Office or the General Assembly, as appropriate, to avoid a year‑end deficit, this fund is not subject to such cuts, except by a majority vote of the entire State Fiscal Accountability Authority which is separate and apart from any other reduction. These cuts are permitted only to the extent that counties and municipalities do not receive less funding than received in the immediate preceding fiscal year. The Local Government Fund must be financed as provided in this chapter.

HISTORY: 1991 Act No. 171, Part II, Section 22A.

Code Commissioner’s Note

At the direction of the Code Commissioner, references in this section to the offices of the former State Budget and Control Board, Office of the Governor, or other agencies, were changed to reflect the transfer of them to the Department of Administration or other entities, pursuant to the directive of the South Carolina Restructuring Act, 2014 Act No. 121, Section 5(D)(1), effective July 1, 2015.

LIBRARY REFERENCES

States 127.

Westlaw Key Number Search: 360k127.

C.J.S. States Section 228.

Attorney General’s Opinions

The Budget and Control Board was most probably acting within its scope of authority when taking certain actions to reduce expenditures in previous fiscal years to prevent a year‑end deficit. 1992 Op Atty Gen No. 92‑22.

**SECTION 6‑27‑30.** Funding of Local Government Fund from general fund revenues.

 In the annual general appropriations act, an amount equal to not less than four and one‑half percent of general fund revenues of the latest completed fiscal year must be appropriated to the Local Government Fund.

HISTORY: 1991 Act No. 171, Part II, Section 22A.

Editor’s Note

2017 Act No. 97, Pt 1B, Section 113.5 provides:

“113.5. (AS‑TREAS: LGF) For Fiscal Year 2017‑18, the provisions of Section 6‑27‑30 and Section 6‑27‑50 of the 1976 Code are suspended.”

LIBRARY REFERENCES

States 127.

Westlaw Key Number Search: 360k127.

C.J.S. States Section 228.

**SECTION 6‑27‑40.** Distribution of monies appropriated to Local Government Fund; use of funds distributed.

 (A) Not later than thirty days after the end of the calendar quarter, the State Treasurer shall distribute the monies appropriated to the Local Government Fund as follows:

 (1) Eighty‑three and two hundred seventy‑eight thousandths percent must be distributed to counties. Of the total distributed to counties, each county must receive an amount based on the ratio that the county’s population is of the whole population of this State according to the most recent United States Census.

 (2) Sixteen and seven hundred twenty‑two thousandths percent must be distributed to municipalities. Of the total distributed to municipalities, each municipality must receive an amount based on the ratio that the municipality’s population is of the population of all municipalities in this State according to the most recent United States Census.

 (B) In making the quarterly distribution to counties, the State Treasurer must notify each county of the amount that must be used for educational purposes relating to the use of alcoholic liquors and for the rehabilitation of alcoholics and drug addicts. Counties may pool these funds with other counties and may combine these funds with other funds for the same purposes. The amount that must be used as provided in this subsection is equal to twenty‑five percent of the revenue derived pursuant to Section 12‑33‑245 allocated on a per capita basis according to the most recent United States Census.

HISTORY: 1991 Act No. 171, Part II, Section 22A; 1996 Act No. 415, Section 2.

CROSS REFERENCES

Withholding of portion of Local Government Fund allotted to counties for Medicaid services, see Section 44‑6‑146.

LIBRARY REFERENCES

States 123.

Westlaw Key Number Search: 360k123.

C.J.S. States Section 226.

**SECTION 6‑27‑50.** Restrictions on amendment or repeal of chapter.

 No section of this chapter may be amended or repealed except in separate legislation solely for that purpose.

HISTORY: 1991 Act No. 171, Part II, Section 22A.

Editor’s Note

2017 Act No. 97, Pt 1B, Section 113.5 provides:

“113.5. (AS‑TREAS: LGF) For Fiscal Year 2017‑18, the provisions of Section 6‑27‑30 and Section 6‑27‑50 of the 1976 Code are suspended.”

**SECTION 6‑27‑55.** Funding for county offices.

 From funds distributed to the county pursuant to Section 6‑27‑40, a county council shall provide a reasonable amount of funds for all county offices of state agencies for which the council is required to provide funding by state law.

HISTORY: 1996 Act No. 458, Part II, Section 105.