

THE STATE OF SOUTH CAROLINA
IN THE SUPREME COURT

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S.C. SUPREME COURT

APPEAL FROM CALHOUN COUNTY
COURT OF COMMON PLEAS

BRIAN M. GIBBONS, CIRCUIT COURT JUDGE

South Carolina Public Interest Foundation, Amy Hill, and Rebecca Bonnett,
Individually, and on Behalf of all others similarly situated..... Appellants,

v.

Calhoun County Council, Respondent.

**SOUTH CAROLINA ASSOCIATION OF COUNTIES
NOTICE OF MOTION AND MOTION FOR LEAVE
TO FILE AN *AMICUS CURIAE* BRIEF**

Joshua C. Rhodes, General Counsel
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Attorneys for Amicus Curiae

Pursuant to Rule 213 of the South Carolina Appellate Court Rules, the South Carolina Association of Counties (Association) respectfully submits this Motion for Leave to File a Brief of *Amicus Curiae* on behalf of Calhoun County Council.

I. INTEREST OF *AMICUS CURIAE*

The Association is an instrumentality of the forty-six (46) counties of the State of South Carolina. Act No. 1383, 1968 Acts at 3193. The case before this Court will greatly impact each of South Carolina's forty-six (46) counties in matters pertaining to the vital need for counties to protect their citizen's health, safety, and welfare. The Association represents the collective interests of South Carolina Counties, so that they may speak with one voice. The Association's interest in this case is to provide this Court with the collective insights of the Counties of the State pertaining to the issues in this matter, and to more fully develop the arguments of the individual parties.

II. DESIRABILITY OF BRIEF OF *AMICUS CURIAE*

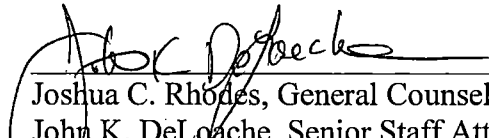
South Carolina law limits the number of ways that counties can pay for essential services for their citizens. With limited options to raise revenue, the General Assembly granted the counties certain local option sales taxes such as the Capital Project Sales Tax (CPST) to give *voters* the ability to approve funding for essential services. Specifically, the CPST is a statutorily created vehicle for counties to raise tax revenue for specific purposes to pay for the construction of popularly approved projects, such as courthouses, jails, police stations, and roads. These projects include equipment and machinery necessary to complete these projects, so they are useful to the community. By allowing the Association to file

an *Amicus Curiae* brief, this Court will preclude the need for numerous individual counties to request leave to file individual *Amicus Curiae* briefs.

WHEREFORE, Counsel for the South Carolina Association of Counties prays this Court enter its Order permitting the Association leave to file its *Amicus Curiae* brief.

Respectfully submitted,

SOUTH CAROLINA ASSOCIATION OF
COUNTIES



Joshua C. Rhodes, General Counsel
John K. DeLoache, Senior Staff Attorney
Attorneys for Amicus Curiae

February 21, 2020

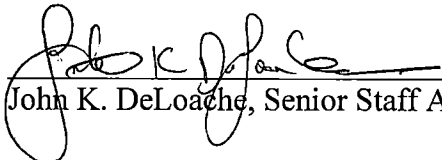
CERTIFICATE OF SERVICE

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The undersigned hereby certifies that a true and correct copy of the above Notice of Motion and Motion for Leave to File an Amicus Curiae Brief was mailed this 21st day of February 2020 via United States Postal Service, First Class Postage Prepaid, to the following counsel of record:

S.C. SUPREME COURT


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