

1984 S.C. Op. Atty. Gen. 65 (S.C.A.G.), 1984 S.C. Op. Atty. Gen. No. 84-23, 1984 WL 159831

Office of the Attorney General

State of South Carolina

Opinion No. 84-23

February 29, 1984

\*1 H. Wayne Beam  
Executive Director  
South Carolina Coastal Council  
Summerall Center  
19 Hagood Street, Suite 802  
Charleston, South Carolina 29403

Dear Dr. Beam:

You have requested an opinion as to whether the Coastal Council may destroy permit files after they have been microfilmed pursuant to an arrangement with the Department of Archives and History.

Section 30-1-130 provides in part as follows:

Custodians of public records may destroy the original records from which the photograph, microphotographs, films or electrostatic copies have been made or any part of them; provided the records are of no value to the agency concerned, and the Archives certifies that the records may be destroyed through this procedure or a retention schedule approved by the Archives; provided, further, that the records microfilmed or reproduced and approved for destruction are reported to the Archives in such manner as it may direct.

It appears from the foregoing that the Coastal Council must first make a determination if the records are of no value once microfilming is made. Then the Archives Department must certify that the records may be destroyed, and the records to be destroyed must be reported to the Archives as that agency might direct.

Sincerely yours,

Kenneth P. Woodington  
Senior Assistant Attorney General

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