

1984 S.C. Op. Atty. Gen. 66 (S.C.A.G.), 1984 S.C. Op. Atty. Gen. No. 84-25, 1984 WL 159832

Office of the Attorney General

State of South Carolina

Opinion No. 84-25

March 6, 1984

*1 Honorable H.E. Pearce, Jr.
Member
House of Representatives
District 107
2800 N. Ocean Boulevard
Myrtle Beach, S.C. 29577

Dear Representative Pearce:

Your letter of January 23, 1984, to Attorney General Medlock has been referred to me for a response.

As you are aware, the South Carolina Supreme Court recently struck down as unconstitutional the section of the Bingo Act (Act 496 of 1980) which designated portions of Horry County as a county fair from May 15 through September 15 of each year. The Supreme Court held that the special treatment afforded the Grand Strand was special legislation and violated [Article III, § 34 of the Constitution of South Carolina](#). The Attorney General argued the position adopted by the Supreme Court. This Office has historically taken the position that, inasmuch as bingo is a form of gambling, bingo should be conducted and permitted only in a limited manner as envisioned by [Article XVII, § 7 of the Constitution](#).

As a practical matter, I believe any proposed legislation which attempts to afford the Grand Strand special treatment for purposes of bingo will face a test as to the constitutionality of such enactment. Our Supreme Court has not favored special or local legislation unless some need for such special treatment is demonstrated. I refer you to the cases cited in our brief to the Supreme Court, a copy of which I have enclosed for your convenience.

With kind regards, I am

Very truly yours,

William K. Moore
Assistant Attorney General

P.S. We also understand that some legislation (H.2424) concerning bingo is presently pending.

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