

1984 S.C. Op. Atty. Gen. 186 (S.C.A.G.), 1984 S.C. Op. Atty. Gen. No. 84-72, 1984 WL 159879

Office of the Attorney General

State of South Carolina

Opinion No. 84-72

June 22, 1984

*1 The Honorable Richard W. Riley
Governor
State of South Carolina
State House
Columbia, South Carolina

Dear Governor Riley:

You have inquired whether the Governor may adjourn the General Assembly when there is a disagreement between the two houses with respect to the time of adjournment. It is our opinion that pursuant to [Article IV, § 19 of the Constitution of South Carolina](#), the Governor, within his sole discretion, possesses such powers and that he is the sole person who can exercise such discretion.

[Article IV, § 19](#) provides:

The Governor may on extraordinary occasions convene the General Assembly in extra session. Should either house remain without a quorum for five days, or in case of disagreement between the two houses during any session with respect to the time of adjournment, he may adjourn them to such times as he shall think proper, not beyond the time of the annual session then next ensuing.

Based upon his determination that the Senate is in disagreement with the House on the time of adjournment, the Governor has adjourned the two houses until such time as he believes is proper. This Office has previously concluded that such is within his constitutional authority. [Op. Atty. Gen.](#), June 13, 1980. There this Office noted,

It has been held, in construing similar constitutional provisions in other states, that the Governor's determination that such a disagreement exists is conclusive and not reviewable. 72 Am.Jur. 2d, [State](#), Section 58; [Re Legislative Adjournment, 18 R.I. 824, 22 A. 824.](#)

Thus, based upon the foregoing, if the Governor determines that such disagreement exists, he is the sole judge thereof and may adjourn the two houses until 'such time as he shall think proper . . .'

With kindest personal regards, I am
Sincerely yours,

T. Travis Medlock
Attorney General

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