

1984 S.C. Op. Atty. Gen. 84 (S.C.A.G.), 1984 S.C. Op. Atty. Gen. No. 84-38, 1984 WL 159845

Office of the Attorney General

State of South Carolina

Opinion No. 84-38

April 3, 1984

*1 Honorable Jeffrey B. Moore
Executive Director
South Carolina Sheriffs' Association
421 Zimalcrest Drive, Suite 306
Columbia, South Carolina 29210

Dear Mr. Moore:

I am in receipt of your letter to the Attorney General dated March 6, 1984, in which you request this office to review its prior opinions dealing with whether or not an inmate or county prisoner can be awarded good behavior credits when he is sentenced to 30 days or less. You assert that 1980 Act No. 513, which amended [Section 24-13-220, CODE OF LAWS \(1976\)](#), may have an effect on our office's prior opinions. Upon review of Section 24-13-210(b) and our office's prior opinions on this subject, it would appear that the original opinions of this office are still proper. The reason for this is that the operative language of 'shall be entitled to a deduction from the term of his sentence, beginning with the day on which the service of sentence commences to run to be computed at a rate of 15 days for each month served' from the old statute remains in the new amended statute. Therefore, the 1967 opinion of the Attorney General, No. 2269, which stated that 'it is, therefore, the opinion of this office that a prisoner with a 30-day sentence or less would not be entitled to good behavior credits' remains in effect.

If you have any questions on this matter, please feel free to contact me. I am enclosing the opinion and the amended statutes for your review and consideration.

Sincerely,

Donald J. Zelenka
Assistant Attorney General

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