

1981 WL 157853 (S.C.A.G.)

Office of the Attorney General

State of South Carolina

July 7, 1981

**\*1 RE: Section 61-1-65**

The Honorable Dalton Sheppard, Jr.  
Member  
House of Representatives  
420-C Blatt Building  
Columbia, South Carolina 29211

Dear Representative Sheppard:

Thank you for your letter of June 30, 1981, concerning the above. Section 61-1-65, Code of Laws of South Carolina, 1976, as amended, proscribes members and employees of the South Carolina Alcoholic Beverage Control Commission from maintaining certain interests in the alcoholic beverage industry. In subsection (d) of the statute, a member or employee's interest is defined to include the interest of the member of employee's relatives within the second degree of kinship.

The proscriptive scope of § 61-1-65 is addressed solely to members and employees of the Commission, not to their relatives. While a member or employee's prohibited interest includes the interest of certain relatives, the prohibition in the act applies only to the member or employee. In other words, if a relative within the second degree of kinship to a member or employee holds any of the interest nominated in The act, the relative would not violate the act, however, the member or employee ??

If this office can be of further assistance, please call upon us.

Very truly yours,

Edwin E. Evans  
Assistant Attorney General

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