

1977 WL 37161 (S.C.A.G.)

Office of the Attorney General

State of South Carolina

May 11, 1977

**\*1 RE: #100**

John W. Lindsay  
Chief Insurance Commissioner  
State of South Carolina Department of Insurance  
Post Office Box 4067  
Columbia, South Carolina 29240

Dear Mr. Lindsay:

Enclosed is the opinion prepared by this Office in response to your request concerning the necessity of approval by the Chief Insurance Commissioner of any policyholder assessment voted upon by the Joint Underwriting Association. It is our opinion that the Commissioner's approval is required prior to implementation of any such assessment. A policyholder assessment by the Joint Underwriting Association without the approval of the Commissioner therefore would be invalid.

I am also enclosing a copy of a prior opinion issued by this Office concerning the effect of a concurrent resolution. That opinion continues to represent the analysis of this Office on that question.

I hope that these enclosures provide you with the necessary answers to the questions you posed.

Very truly yours,

Victor S. Evans  
Deputy Attorney General

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