

1979 S.C. Op. Atty. Gen. 80 (S.C.A.G.), 1979 S.C. Op. Atty. Gen. No. 79-64, 1979 WL 29069

Office of the Attorney General

State of South Carolina

Opinion No. 79-64

April 23, 1979

*1 Provisions of [Section 11-9-15, Code](#) of Laws, 1976, do not prohibit the Lieutenant Governor from using State automobiles and State paid Security Agents in appearing at meetings of organizations with discriminatory policies.

The Honorable Nancy Stevenson
Lieutenant Governor
Post Office Box 142
Columbia, South Carolina 29202

Dear Lt. Gov. Stevenson:

Your letter of April 18 requests the opinion of this Office on whether the provisions of [Section 11-9-15, Code](#) of Laws, 1976, as amended, prohibit your use of a State-owned vehicle and the provision of a security agent to accompany you in traveling to and speaking at a meeting of an organization which has a discriminatory membership admissions policy.

In my opinion, the provisions of the separation of powers section of the State Constitution make the provisions of the cited statute inapplicable to you as Lieutenant Governor. Additionally, I am of the opinion that the intent and purpose of the statute are not aimed at single appearances by representatives of State agencies who appear before various bodies for the purpose of speaking on the activities of the entities which they represent. The necessity for such appearances is dictated by governmental duties and obligations which are imposed upon officers and employees within the governmental structure. This conclusion is premised also upon First Amendment rights, as well as upon discussions which I have had with the sponsors of the legislation now codified as [Section 11-9-15 of the Code](#).

Very truly yours,

Daniel R. McLeod
Attorney General

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