

1972 WL 25361 (S.C.A.G.)

Office of the Attorney General

State of South Carolina

June 21, 1972

***1 Re: R-1395 (1972)**

Honorable Henry L. Lake
Code Commissioner
State House
Columbia, South Carolina

Dear Mr. Lake:

You have inquired as to the validity of provisions of R-1395 prior to the signing of the Act by the Governor on May 22, 1972, inasmuch as the Act provides that it shall be effective January 1, 1972.

Article 1, Section 8, Constitution of South Carolina, prohibits ex post facto enactments of the General Assembly. An ex post facto law is defined in [McCoy v. State Highway Department](#), 169 S.C. 436, as being a law retroactive in effect, whether civil or criminal in nature.

It is the opinion of this Office that the effective date of R-1395 is May 22, 1972, and not January 1, 1972, as provided in Section 15 of the Act.

Very truly yours,

Joseph C. Coleman
Deputy Attorney General

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