

1972 WL 25287 (S.C.A.G.)

Office of the Attorney General

State of South Carolina

April 18, 1972

\*1 Dr. James A. Morris  
Commissioner  
South Carolina Commission on Higher Education  
Butledge Building  
Columbia, South Carolina 29201

Dear Dr. Morris:

Attorney General McLeod referred your letter to me as the newly appointed contact for the Commission on Higher Education. I look forward to meeting and working with Assistant Commissioner Michael in the near future.

As for Section 22-2.2, I have only several comments:

1. In the explanation of 22-2.2B(c), it may be advisable to reiterate the fact that marriage does not change the twelve-months rule.
2. Since Section 86 of the 1965 Appropriation Act was not in the permanent section, the special consideration given to foreign students would no longer hold true. (Staff Attorney Joe Lipton of the Legislative Council concurs with this opinion.)
3. When officials seek to invoke its penalty in 22-2.2D, they should be aware of the due process requirements of Article I, Section 22 of the South Carolina Constitution—a copy is enclosed.

In my opinion the proposed legislation providing for full legal capacity for 18-year olds will not materially alter Section 22-2.2, since the definitions therein apply this section alone and any such enactment would not change the legal impact of Section 22-2.2.

Contact me when I can be of any further assistance.

Sincerely,

Hardwick Stuart, Jr.  
Assistant Attorney General

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