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The State of South Carolina



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Attorney General

Attorney General

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May 26, 1994

The Honorable Nick A. Theodore
Lieutenant Governor
State of South Carolina
Post Office Box 142
Columbia, South Carolina 29202

Dear Lieutenant Governor Theodore:

You have renewed the Legislative Council's request for an opinion of this Office as to whether DHEC can unilaterally withdraw or abandon proposed regulations once they have been submitted to both chambers of the General Assembly for review. As you know this question has been previously answered by this Office. On two prior occasions, we have determined that an agency can withdraw proposed regulations at any time prior to expiration of the 120 day review period or prior to the enactment of a joint resolution. See, Op. Atty. Gen., No. 79-82 and Op. Atty. Gen., December 30, 1982. Copies of these two opinions are enclosed. These opinions continue to represent the opinion of this Office and are reaffirmed today.

Sincerely yours,

A large, stylized handwritten signature in black ink, appearing to read "T. Medlock".

T. Travis Medlock
Attorney General

TTM/an
Enclosures

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