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January 1985

The State of South Carolina



Office of the Attorney General

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ATTORNEY GENERAL

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February 27, 1985

Frank Powell, Sheriff
County of Richland
Post Office Box 143
Columbia, South Carolina 29201

Dear Sheriff Powell:

In a letter to this Office you raised the following question:

Is it a violation of the South Carolina
Blue Laws for banks to transact business
on Sunday through their automated tellers?

Section 53-1-40, Code of Laws of South Carolina, 1976, generally prohibits the sale of goods and the operation of businesses on Sunday. However, specific exceptions to such prohibition are provided by Section 53-1-50 of the Code. Such statute provides in part that:

"Section 53-1-40 does not apply to the
following:

(13) The providing of any service,
product, or other thing by means of
a mechanical device not requiring the
labor of any person."

In the opinion of this Office, such specific exception to this State's "blue laws" would permit banks to transact business on Sunday by means of automated tellers.

REQUEST LETTER

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If there is anything further, please advise.

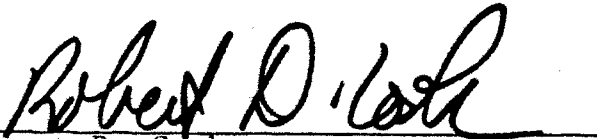
Sincerely,



Charles H. Richardson
Assistant Attorney General

CHR:ymk

REVIEWED AND APPROVED BY:



Robert D. Cook
Executive Assistant for Opinions