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Office of the Attorney General

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June 11, 1985

The Honorable Dick Elliott  
Member, House of Representatives  
326-A Blatt Building  
Columbia, South Carolina 29211

Dear Representative Elliott:

In a letter to this Office you questioned whether employees of a firm or company in Horry County have protection under the conscientious objector provisions in Act No. 86 of 1985, the recently enacted "blue law" legislation, if they choose not to work on Sundays. You referenced that Horry County is exempt from the provisions of the "blue laws". It is my understanding that such exemption is pursuant to the provisions of Section 3 of Act No. 86 which exempts counties meeting certain tax revenue collections from the "blue laws".

Subsection (C) of Section 3 of Act No. 86 states that:

"(a)ny employee of any business which operates on Sunday under the provisions of this section ... (Section 3) ... has the option of refusing to work in accordance with the provisions of Section 53-1-100 of the 1976 Code ... (the conscientious objector provision).


Such exemption is in addition to that provision in Section 1 of Act No. 86 which establishes the privilege of choosing not to work for employees of businesses opening after 1:30 p.m. on Sunday.

REQUEST LETTER

Continuation Sheet Number 2  
To: The Honorable Dick Elliott  
June 11, 1985

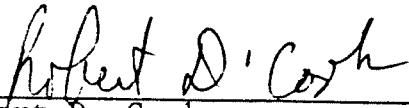
Referencing the above, it is the opinion of this Office that employees of firms or businesses in Horry County which are exempt from the provisions of the "blue laws" have protection under the conscientious objector provisions of the recent "blue law" legislation if they choose not to work on Sundays. If there are any further questions, please advise.

Sincerely,

  
Charles H. Richardson  
Assistant Attorney General

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REVIEWED AND APPROVED BY:

  
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Robert D. Cook  
Executive Assistant for Opinions