

1983 WL 181831 (S.C.A.G.)

Office of the Attorney General

State of South Carolina

April 5, 1983

\*1 The Honorable T. Moffatt Burriss  
South Carolina House of Representatives  
503-A Blatt Building  
Columbia, South Carolina 29211

Dear Representative Burriss:

Thank you for your recent letter requesting my opinion as to the constitutionality of H. 2039.

I am advised that the Governor signed that Bill into law on or about March 14, 1983. As a general rule, a statute is presumed to be valid unless, of course, it is declared unconstitutional by a court of competent jurisdiction. [American Trust Co., Inc. v. S.C. State Board of Banking Control](#), 381 F. Supp. 313, 320 (D.C.S.C. 1974) citing [Davies Warehouse Co. v. Bowles](#), 321 U.S. 144, 153, 64 S.Ct. 474, 88 L.Ed. 635 (1944); and see cases generally collected at 6 S.C. Digest, Constitutional Law, Key No. 48(1). Therefore, it appears that R. 24 (formerly H. 2039) is presumed to be constitutional.

I trust the preceding discussion adequately answers your question, however, if any further explanation is required, please do not hesitate to contact me.

Very truly yours,

T. Travis Medlock  
Attorney General

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