

1982 WL 189228 (S.C.A.G.)

Office of the Attorney General

State of South Carolina

March 30, 1982

***1 Re: Sale of Accidental Death Insurance at Approved Rates By an Insurer Through Licensed Agents in Offices of Supervised Lenders and Restricted Lenders in the State of South Carolina**

Mr. William H. Gibbes
Attorney at Law
1518 Washington Street
Columbia, South Carolina 29201

Dear Mr. Gibbes:

Your letter of February 24, 1982, to Victor S. Evans, of this office, has been referred to me for an appropriate response. It has been the Attorney General's policy for several years not to issue opinions to individuals outside of State government. Therefore, I cannot issue you an official opinion as to the questions posed in your letter.

However, several months ago I did have the opportunity to review Pete Parker's opinion (Attorney General's Opinion No. 3192, dated September 28, 1971), and at that time expressed my opinion to the Director of the Consumer Finance Division that this opinion was still valid and had not been affected by the adoption of the South Carolina Consumer Protection Code. In this regard, I did consult with the Department of Consumer Affairs and they were also of the opinion that neither the Consumer Protection Code or any interpretations issued by their Department affected the validity of this opinion.

I do not know whether supervised lenders are permitted to sell insurance. Apparently, no administrative interpretation has been issued by the Department of Consumer Affairs on this point. I would not be particularly offended by the fact that supervised lenders might be able to offer such insurance while restricted lenders could not, since it is obvious from the provisions of the Consumer Finance Law that greater restrictions are placed on these type lenders than are placed on other lenders.

I hope this information will be of some assistance to you. With cordial best wishes, I am
Very truly yours,

Richard B. Kale, Jr.
Senior Assistant Attorney General

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