

1981 S.C. Op. Atty. Gen. 94 (S.C.A.G.), 1981 S.C. Op. Atty. Gen. No. 81-71, 1981 WL 96597

Office of the Attorney General

State of South Carolina

Opinion No. 81-71

July 23, 1981

*1 The Honorable Richard W. Riley
Governor
Post Office Box 11450
Columbia, South Carolina 29211

Dear Governor Riley:

You have inquired as to when the period commences to run for consideration of a bill submitted to you in the following circumstances.

On Friday, July 17, 1981, there was forwarded to you the printed title alone of the General Appropriations Act for the year 1981–82. Only the title to the bill was forwarded to you without the accompanying body of the act. Subsequently, on July 23, 1981, the body of the act in its entirety was submitted to you.

In my opinion, the submission of the title to the Appropriations Bill alone was not in compliance with [Article IV, Section 21, of the Constitution of this State](#), so as to begin the period of five days in which you may act to approve the bill or to veto all or portions of it. The Constitution of this State requires that every bill or joint resolution which shall have passed the General Assembly shall be presented to the Governor. The mere forwarding to you for consideration of the title to a bill does not have the effect of causing this five-day period to run; the body of the entire bill as passed by the General Assembly must be presented to you in order to afford complete consideration by you of the various items and sections of the measure and you cannot be expected to pass intelligently upon the contents of a bill judged by recitation of its title only. The cases cited below, while not touching directly upon the issue, are of consequence and are persuasive of this conclusion. Moreover, it is, in my opinion, obvious from a consideration of the mere simplistic meaning of the Constitution, which is mandatory and prohibitory in its terms and which must be so construed.

I, therefore, advise that, in my opinion, the five-day period for action by you with regard to approval or veto undertakings by you does not commence to run until a bill in its entirety as passed by the General Assembly is received by you. That date, as I understand it, is today, July 23, 1981, and the five-day period would, therefore, commence from this date.

Very truly yours,

Daniel R. McLeod
Attorney General

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