

1981 WL 157972 (S.C.A.G.)

Office of the Attorney General

State of South Carolina

September 21, 1981

*1 Jeanne R. Hertzog
Lexington County Sheriff's Department
Post Office Box 639
Lexington, South Carolina 29072

Dear Ms. Hertzog:

I have received your recent correspondence concerning regulations imposed on topless dancing and other forms of nudity. The only State laws applicable to this matter would be the obscenity statutes, Section 16-15-260 through Section 16-15-440, as well as the indecent exposure statute, Section 16-15-130. The obscenity statutes define 'performances' which could be applicable to topless dancing, and further defines 'nudity'. It is important that the obscenity statute be read in its entirety as many of the definitions and sections are inter-related. As for the indecent exposure statute, I am enclosing a previous opinion of this office which addresses the question of whether or not female 'topless' waitresses violate this statute.

I hope this is of some benefit to you, and if I can be of any further assistance, please do not hesitate to contact me.

Sincerely,

John M. Barton
Assistant Attorney General

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