

1980 WL 120641 (S.C.A.G.)

Office of the Attorney General

State of South Carolina

January 30, 1980

*1 Ms. Betty E. Callaham
Librarian
The South Carolina State Library
P. O. Box. 11469
Columbia, South Carolina 29211

Dear Ms. Callaham:

This is to acknowledge receipt of your letter of January 29, 1980, requesting an opinion as to whether the State Library can require State employees to give their home address and telephone as a condition for issuing special library cards. Section 60-1-50 sets forth the powers of the State Library Board, which include providing State government library services and making of such rules and regulations as are required to accomplish this purpose. I believe that the requirement that State employees provide their home address and telephone number is a reasonable request in order to secure the privilege of using the State Library. Of course, any State employee who does not desire to provide this information can merely do without a library card if he so desires.

As you are probably aware, there is no State Privacy Act in South Carolina. While certain provisions of the Federal Privacy Act, [5 U. S. C., Section 552](#), [et al.](#), may apply to the operation of a State agency in its dealing with the Federal government, the issuance of library cards to South Carolina State employees appears strictly to be a State action. Moreover, the Federal Privacy Act does not limit the acquisition of information from individuals, but rather places restrictions on the dissemination of this information once it has been acquired.

Therefore, in conclusion, it is my opinion that the South Carolina State Library could require that an individual give his home address and telephone as a condition to the issuance of a library card. If you should need any further information with regard to this question, I shall be happy to assist you.

Very truly yours,

Richard B. Kale, Jr.
Senior Assistant Attorney General

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