

1980 WL 121260 (S.C.A.G.)

Office of the Attorney General

State of South Carolina

June 5, 1980

*1 Honorable M. Ernest Nunnery
Member
House of Representatives
Box 781
Chester, South Carolina 29706

Dear Mr. Nunnery:

Thank you for your letter of June 4, 1980, requesting my opinion as to the constitutionality of H2450 of the 1980 session. The portions of the bill about which you specifically inquire are contained in Section 2(2), two provisos of which designate extensive areas in Horry County and in Charleston County as 'county fairs.'

I share your concern as to the validity of these provisions but I am also of the opinion that any invalidity of these sections will not impair the remaining parts of the statute which deal extensively with the game of bingo. The Horry County statute has been in existence for a number of years and I intend to challenge its constitutionality in the courts. Should this action succeed, however, it will not affect the implementation of the statute as a whole. The provisos relating to county fairs in the two counties are actually minor parts of the entire statutory approach to the game of bingo.

I am, therefore, requesting that Governor Riley sign this bill and urge him to do so because the enactment of bingo regulations is badly needed and has been sought by me for at least the past four years.

With best wishes,
Cordially,

Daniel R. McLeod
Attorney General

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