

1977 S.C. Op. Atty. Gen. 22 (S.C.A.G.), 1976 S.C. Op. Atty. Gen. No. 77-11, 1977 WL 24354

Office of the Attorney General

State of South Carolina

Opinion No. 77-11

January 10, 1977

*1 The registration requirements of Section 30–152 do not apply to members of the League of Women Voters of South Carolina who lobby to promote or oppose legislation that is of interest to ‘the whole people of the State.’

TO: Barbara W. Moxon

President

League of Women Voters of South Carolina

QUESTION:

Does Section 30–152 of the 1962 Code of Laws of South Carolina, as amended, require members of the League of Women Voters who lobby for the League to register with the Secretary of State?

AUTHORITY:

Section 30–151, et seq. 1962 Code of Laws of South Carolina, as amended

DISCUSSION:

Sections 30–151 through 30–157 of the 1962 Code of Laws of South Carolina, as amended, were adopted by the General Assembly as Act 1140 of 1974 for the express purpose of regulating lobbyists and lobbying.

The definitions of (a) Person, (b) Legislative agent, (c) Lobbyist, and (d) Lobbying as set out in Section 30–151 clearly include the lobbying activities of members of the League of Women Voters of South Carolina.

A close examination of Section 30–152 reveals that the registration requirements imposed upon lobbyists by that section only operate with respect to lobbyists who are employed by a person [as defined by Section 30–151(a)] to ‘promote or oppose in any manner the passage by the General Assembly of any legislation affecting the pecuniary interest of any person as distinct from those of the whole people of the State or to act in any manner as legislative counsel or agent in connection with any such legislation.’ Since members who represent the League as lobbyists do so for the purpose of promoting or opposing legislation that affects ‘the whole people of the State’, Section 30–152 will not operate to require them to register with the Secretary of State.

However, since the operation of Section 30–154 does not depend on the purpose for which one lobbys, the lobbying members of the League will be required by Section 30–154 to file an annual report of contributions and expenditures with the Secretary of State.

CONCLUSION:

Therefore, the opinion of this Office is that the registration requirements of Section 30–152 do not apply to members of the League of Women Voters of South Carolina who lobby to promote or oppose legislation that is of interest to ‘the whole people of the State.’

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