

1977 S.C. Op. Atty. Gen. 26 (S.C.A.G.), 1977 S.C. Op. Atty. Gen. No. 77-16, 1977 WL 24359

Office of the Attorney General

State of South Carolina

Opinion No. 77-16

January 12, 1977

*1 The Honorable Thomas E. Smith, Jr.
State Senator
100 Walnut Street
Pamplico, South Carolina 29583

Dear Tom:

Thank you for your letter of January 10, 1977, inquiring whether or not Section 16-573 of the Code of Laws, 1962, is valid. This section makes it unlawful in certain designated counties of the State to engage in fortune-telling and other related practices which profess to tell fortunes or predict future events.

The statute is not applicable except in certain designated areas and, in my opinion, is clearly unconstitutional. The latest decision on this issue is Daniels, Sheriff v. Cruz, filed January 4, 1977.

The statutes about which you inquire should be either repealed or amended to make it Statewide in application.

As requested by you, I am forwarding a copy of this opinion to Sheriff William C. Barnes.

Very truly yours,

Daniel R. McLeod
Attorney General

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