

1979 WL 43012 (S.C.A.G.)

Office of the Attorney General

State of South Carolina

May 21, 1979

***1 Re: Opinion Concerning Disclosure of Information About Employees of the Department of Insurance**

The Honorable John W. Lindsay
Chief
Insurance Commissioner
South Carolina Department of
Insurance
P.O. Box 4067
Columbia, S. C. 29240

Dear Commissioner Lindsay:

You have asked for advice as to what information should be disclosed pursuant to a request by Orin G. Briggs, an attorney here in Columbia. Specifically, Mr. Briggs asked that he be furnished a list of all employees who have resigned their employment with the Department of Insurance during the last twelve months, and he has further asked for any information available to the Department as to whether or not those individuals went to work for businesses regulated by the Department.

Whether the Department must disclose the information, requested by Mr. Briggs is governed by this State's Freedom of Information Act (§§ 30-4-10 et seq. of the 1976 South Carolina Code). [South Carolina Code § 30-4-50](#) declares certain information to be public information, subject to restrictions and limitations contained in other portions of the Act. [§ 30-4-50\(1\)](#) provides that the names, sex, race, title and dates of employment of all employees and officers of public bodies shall be public information. There does not appear to be any thing else in the Act which would restrict or otherwise qualify the disclosure of such information, and it therefore appears that the Department would be required to furnish a list of all employees of the Department during the past twelve months with the information set forth in [§ 30-4-50\(1\)](#) shown thereon.

Mr. Briggs further requests any information either in the records of the Department or in the knowledge of the Department concerning the question of whether those individuals who resigned within the last twelve months went to work for businesses regulated by the Department. Since employees who resign from the Department are no longer public employees, it seems clear that any information known to the Department as to such persons' endeavors after they leave public employment is information of a personal nature where the public disclosure thereof would constitute an unreasonable invasion of personal privacy. Such information is explicitly exempt from disclosure in § 30-4-40(2). For this reason, you would not appear to be required to disclose any information in your possession relating to positions accepted by former employees of the Department after their resignation from public employment.

I trust that this information will be of assistance to you in formulating a response to Mr. Briggs's request.

Very truly yours,

L. Kennedy Boggs
Assistant Attorney General

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