

1978 WL 34730 (S.C.A.G.)

Office of the Attorney General

State of South Carolina

March 1, 1978

***1 Re: Your reference #200**

Ben DeBerry, Esquire
General Counsel
South Carolina Department of Insurance
Post Office Box 4067
Columbia, South Carolina 29240

Dear Mr. DeBerry:

You asked assistance in responding to an N.A.I.C. task force questionnaire. I will address only questions (1) and (3), inasmuch as you are more knowledgeable of laws relating directly to insurers.

South Carolina has an 'Unfair Trade Practice Act.' [S. C. Code Section 39-5-10](#). 'Unfair Discrimination' is not defined as an unfair or deceptive act by statute. No regulations pertaining to discrimination by insurers have been promulgated pursuant to the act.

The Attorney General does have authority to promulgate such regulations. If the Insurance Commission believes that this is a serious problem, we will certainly consider such action.

Very truly yours,

Harry B. Burchstead, Jr.
Assistant Attorney General

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