

1978 WL 34907 (S.C.A.G.)

Office of the Attorney General

State of South Carolina

May 15, 1978

*1 Mr. Kenneth B. Simmons, Jr.
Secretary
South Carolina Landscape Architects Council
2221 Devine Street
Suite 222
Columbia, South Carolina 29205

Dear Mr. Simmons:

On March 27, 1978, you requested an Opinion from this Office in regard to the Landscape Architects Council's ability to correspond with the boards of registration in other states concerning a landscape architect applicant's 'moral character.' You have also inquired about the propriety of forwarding to another board a copy of an individual's application. The answer to both of these questions is found within the Act which initiated the registration of landscape architects in South Carolina.

[Section 40-28-110\(2\), Code of Laws of South Carolina \(1976\)](#), provides that an Applicant 'must be of good moral character' to be eligible for registration as a landscape architect. This provision applies to all applicants, regardless of the method of application. The other portion of the Act which applies to your questions is [Section 40-28-30, Code of Laws of South Carolina \(1976\)](#), which requires that the Board of Registration appoint a Landscape Architects Council to recommend certification of eligible landscape architect applicants. In order for the Council to fulfill this duty, it is necessary for it to determine whether an applicant is qualified for registration as a landscape architect, which would include the requirement that the applicant possess good moral character.

Whenever the moral character of an applicant is in question and whenever another state's board of registration has information on an applicant's moral character, it is entirely consistent with the aforementioned Code Section for the Council to correspond with another Board on this question. Furthermore, because of the necessity for the boards and councils of various states to cooperate on this sort of question, it would also be consistent with the Landscape Architects Act for the Council to supply a copy of an application to another state.

It is therefore the Opinion of this Office that the Landscape Architects Council may correspond with the registration boards of other states in regard to an applicant's moral character and may also supply another state's board of registration with a copy of an individual's application.

Very truly yours,

Keith M. Babcock
State Attorney

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