

1978 WL 35164 (S.C.A.G.)

Office of the Attorney General

State of South Carolina

October 12, 1978

*1 L. Steve Mayfield
Executive Director
S.C. State Housing Authority
2221 Devine Street
Suite 540
Columbia, South Carolina 29205

Dear Mr. Mayfield:

You have requested an opinion concerning the right of a State Representative to obtain the names of recipients using the HUD Section 8 Existing Housing Subsidy Program that your agency administers in a county within the representative's district. The amended State Freedom of Information Act, Act No. 593 of 1978, Section 5(a)(2) exempts the disclosure of 'Information of a personal nature where the public disclosure thereof would constitute unreasonable invasion of personal privacy . . .'. Despite this exemption, this Act must be read in conjunction with other statutes of the State. Specifically, Section 43-1-160 provides that the names of the recipients receiving public assistance payments from the State or County departments of Social Services shall be open to public inspection. Accordingly, the General Assembly must be considered to have deemed one's status as a recipient of public assistance a matter which is within the public's right to know. Therefore, it is the opinion of this Office that State law permits the disclosure of the information requested of the Housing Authority. We express no opinion as to whether Federal law, under which the assistance payments are made, prohibits such disclosure.

Sincerely yours,

Kenneth P. Woodington
Assistant Attorney General

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