

1975 WL 28895 (S.C.A.G.)

Office of the Attorney General

State of South Carolina

June 6, 1975

\*1 Honorable Archie Beattie  
Probate Judge  
Lee County Courthouse  
Bishopville, S. C. 29010

Dear Judge Beattie:

You have requested an opinion from this Office as to whether you are entitled to charge fees on the basis of the 1972 Amendment to Section 27-310.2 of the Code or whether you are bound to Section 27-310.2 as it was before amendment.

Section 5208 of Sutherland's Statutes and Statutory Construction states that: 'A statute of specific references incorporates the provisions referred to from the statute as of the time of adoption without subsequent amendment, unless the legislature has expressly or by strong implication shown its intention to incorporate subsequent amendment with the statute. In the absence of such intention subsequent amendment of the referred statute will have no effect on the reference statute'.

Following this approach, it is the opinion of this Office that the amendment to Section 27-310.2 is not incorporated into Section 27-310.5.

Please do not hesitate to contact us if we may be of further assistance.

Yours sincerely,

Raymond G. Halford  
Assistant Attorney General

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