

1974 WL 27578 (S.C.A.G.)

Office of the Attorney General

State of South Carolina

January 7, 1974

***1 Re: State Holidays**

William M. McCord, M.D., Ph.D.
President
Medical University of South Carolina
80 Barre Street
Charleston, South Carolina 29401

Dear Mr. McCord:

Your letter of January 4, 1974, addressed to the Attorney General has been referred to me for reply. In that letter you inquire as to whether or not the Medical University can grant its employees a holiday to make up for Robert E. Lee's birthday which falls on Saturday, January 19.

The General Assembly of South Carolina in Section 64-151 of the Code of Laws of South Carolina has prescribed the legal holidays for the State, one of which of course is January 19. In Section 64-153 of the Code of Laws of South Carolina, the General Assembly has provided inter alia that

Whenever any of the legal holidays mentioned in § 64-151 fall upon Sunday, the Monday next following shall be deemed a public holiday for all of the purposes aforesaid.

Inasmuch as it is within the exclusive domain of the South Carolina General Assembly to establish legal holidays in this State, and inasmuch as the General Assembly, to date, has only seen fit to allow legal holidays which fall on a Sunday to be observed on the following Monday, it is the opinion of this Office that the Medical University cannot within existing laws allow its employees to celebrate a holiday which falls on a Saturday, which is otherwise a non-working day.

Since the General Assembly will convene prior to January 19, hopefully they might see fit to correct this situation. I hope this sufficient answers your question.

Very truly yours,

Ellison D. Smith, IV
Assistant Attorney General

1974 WL 27578 (S.C.A.G.)

End of Document

© 2018 Thomson Reuters. No claim to original U.S. Government Works.