

1974 WL 27450 (S.C.A.G.)

Office of the Attorney General

State of South Carolina

June 18, 1974

*1 Lt. Harry E. Phillips
Lexington County Sheriff's Department
Lexington, South Carolina 29072

Dear Lt. Phillips:

You have inquired whether or not a vehicle subject to forfeiture under the unlawful drug act may be seized after a succession of 'buys' at the time of the arrest of the operator.

Quantities justifying seizure and forfeiture (Section 32-1510.64:1) must be present upon one occasion. In other words, cumulative amounts any not be used to add up to the required amounts for forfeiture.

There is nothing in the statute to indicate their the seizure of a vehicle must be made at the time of a discovery or 'buy' of the necessary quantity of drugs listed in Section 32-1510.64:1(1), 1962 Code of Laws, as amended. It is the opinion of this Office that such a vehicle may be seized at a later time when the arrest is postponed.

Very truly yours,

Joseph C. Coleman
Deputy Attorney General

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