

1973 WL 26640 (S.C.A.G.)

Office of the Attorney General

State of South Carolina

March 5, 1973

*1 Honorable Carroll A. Campbell, Jr.
Member
House of Representatives
206 E. Coffee Street
Greenville, South Carolina 29601

Dear Mr. Campbell:

You have requested the opinion of this Office as to whether a state statute may be enacted to grant full legal rights to 18-to-21 year-olds. A proposed constitutional amendment has been introduced by you rendering 18-to-21 year-olds *sui juris* and a question has arisen as to whether 18-to-21 year-olds could be made sui juris by statute.

In my opinion, the General Assembly may validly adopt a statute rendering such persons sui juris. The adoption of such a statute would not, however, modify any constitutional provisions fixing limitations on age such as the age limit for jury service which is fixed at 21 years in the Constitution.

I have not seen a copy of the proposed constitutional amendment but I suggest that it be drafted so as to provide essentially that persons within the 18-to-21-year-old bracket be granted all legal rights which other persons above the age of 21 possess. I assume that this is the format which you have followed rather than merely establishing by the terms of the amendment that certain persons are considered 'sui juris.' I am further of the opinion that the phrase 'sui juris' includes also the right to vote, but any question in this respect could be eliminated by avoiding the use of that term.

Very truly yours,

Daniel R. McLeod
Attorney General

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