

1973 WL 26720 (S.C.A.G.)

Office of the Attorney General

State of South Carolina

April 30, 1973

***1 Re: Section 16-409, Code of Laws of South Carolina 1962**

Gene Elliott
Chief Criminal Investigator
Darlington County Sheriff's Office
Darlington, South Carolina

Dear Mr. Elliott:

You have requested that this office advise you as to the penalties for violation of the above-entitled Section, particularly with reference to the second or third offense of prostitution.

Section 16-411 provides for a first offense for violation of Section 16-409 a fine of not exceeding \$100.00 or confinement for a period not to exceed thirty days. A second or third offense under this Section are punishable by fines and imprisonment of greater degrees, however these punishments are only in effect in time of war. It is therefore apparently the intention of the Legislature that the penalty for a multiple offense of engaging in prostitution cannot exceed \$100.00 or confinement for a period of not more than thirty days.

I trust that this has been sufficient in answer to the question which you posed. If we may be of any further assistance, please do not hesitate to call or write.

Very truly yours,

Timothy G. Guinn
Senior Assistant Attorney General

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