

1973 S.C. Op. Atty. Gen. 207 (S.C.A.G.), 1973 S.C. Op. Atty. Gen. No. 3564, 1973 WL 21021

Office of the Attorney General

State of South Carolina

Opinion No. 3564

July 5, 1973

***1 Section 72–305 as amended does not apply to county employees, according to the literal meaning of the statute.**

Executive Director

S. C. Association of Counties

It is my understanding that you have inquired as to whether the amended statute applies to county employees where the wording is as follows:

SECTION 1. The provisions of Section 72–305 of the 1962 Code, as last amended by Section 7 of Act 1167 of 1972, shall apply to any *State or municipal employee* whose total and permanent disability resulted in an injury which occurred prior to May 3, 1972, the effective date of Act 1167 of 1972. (emphasis ours)

The Courts of this State have consistently held that where the terms of a statute are clear and not ambiguous, the statute's terms must be applied according to their literal meaning *Home Building and Loan Association v. City of Spartanburg* 194 S. E. 139, 185 S. E. 312.

The above amendment provided only for State and municipal employees, clearly omitting any reference to county employees. It is, therefore, the opinion of this office that Section 72–305 as amended does not apply to county employees, according to the literal meaning of the statute.

G. W. Thomason

Assistant Attorney General

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