

1973 WL 26831 (S.C.A.G.)

Office of the Attorney General

State of South Carolina

August 6, 1973

*1 The Honorable Claude McCain
Chairman
South Carolina Insurance Commission
Department of Insurance
2711 Middleburg Drive
Columbia, South Carolina 29204

Dear Mr. McCain:

I am informed that the Insurance Commission has adopted, pursuant to Section 37-75, Code of Laws, 1962, a resolution which would have the effect of making inaccessible to public inspection records, etc., pertaining to the examination of an insurance company which is now under an order of rehabilitation.

The cited section authorizes such action by the Insurance Company.

You have inquired as to whether a hearing upon the affairs of this Company at which its financial status will be discussed will be open to the public under the terms of the Freedom of Information Act.

In making confidential and not open to public disclosure the records of this Insurance Company, it is my opinion that the meeting at which these records will be disclosed may likewise be closed to the public under the specific terms of the Freedom of Information Act. That Act precludes the public disclosure of records 'concerning which it is shown that the public interest is best served by not disclosing them to the public' (Section 1-21.1, Code of Laws, 1962) and a meeting at which these records will be disclosed and considered may be closed to the public.

Very truly yours,

Daniel R. McLeod
Attorney General

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