

1972 WL 25212 (S.C.A.G.)

Office of the Attorney General

State of South Carolina

February 22, 1972

***1 In Re: Dr. Thomas D. Wyatt, Sr.—Controlled Substances Law**

The Honorable John C. West
Governor
Columbia, South Carolina

Dear Governor West:

I have reviewed the letters sent to you by Dr. Kenneth Bycock and by Donald G. McLeese, Commissioner, Narcotics and Controlled Substances. I believe that Dr. Bycock's position is basically correct.

The position of Chief Drug Inspector has existed for a number of years and is provided for in Code Section 56–1324.

Act No. 445 was passed in 1966, created the Department of Narcotics and Dangerous Drugs within the State Board of Health, and vested the enforcement of the narcotics and drug laws in the said Department. This Act was repealed by Act No. 445, adopted in 1971, which abolished the statutory office of Director of the Department of Narcotics and Dangerous Drugs within the State Department of Health, but left intact, in my opinion, the position of Chief Drug Inspector as provided for by previous statutes. Act No. 445 of 1971 also left intact the primary responsibility for accountability audits of supplies of controlled substances in the State Board of Health. Such accountability procedures are essentially the same as the duties prescribed by the statute relating to the position of Chief Drug Inspector, as set forth in Section 56–1326 of the Code.

It is my opinion that the position of Chief Drug Inspector still exists and that the duties vested in that official are those of accountability audits of supplies of controlled substances under the Controlled Substances Law of 1971.

I am enclosing herewith a memorandum prepared in this respect by Mr. Coleman of this Office.

Very truly yours,

Daniel R. McLeod
Attorney General

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