

1972 S.C. Op. Atty. Gen. 75 (S.C.A.G.), 1972 S.C. Op. Atty. Gen. No. 3272, 1972 WL 20417

Office of the Attorney General

State of South Carolina

Opinion No. 3272

March 7, 1972

\*1 Xerox copies of legal instruments required to be filed by the clerk of court is permissible under Section 60–202, Code of Laws of South Carolina (1962).

TO: County Attorney  
Edgefield, South Carolina

You have requested an opinion as to whether or not xerox copies of deeds, mortgages of real estate and other legal documents made by the xerox process on 100% rag content paper would be permissible for filing under Section 60–202, Code of Laws of South Carolina (1962).

Section 60–202 authorizes photostatic copies or photo-recording copies, when duly authenticated by the clerk of court or other proper official charged with the duty of recording legal papers, of any county in this State, to be sufficient compliance with the law with reference to the recording of all legal papers.

Xerography is defined as:

The formation of pictures or copies of graphic matter by the action of light on an electrically charged photoconductive insulating surface in which the latent image usu. is developed with powders that adhere only to the areas that remain electrically charged and in which the image formed by the powders sometimes is transferred to a sheet of paper. Webster's Third New International Dictionary

Xerox printing is defined as:

An application of xerography to the mass production of graphic images in which the image plate is fixed to a cylinder and automatically charged and powdered for repeated electrostatic transfer of an image to machine-fed paper. Webster's Third New International Dictionary

In the opinion of this office, a xerox copy would come within the definition of a photo-recording copy and a reproduction of a legal document for purposes of recording would be permissible under Section 60–202.

Reymond G. Halford  
Assistant Attorney General

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