

1979 WL 43492 (S.C.A.G.)
Office of the Attorney General
State of South Carolina
July 30, 1979

***1 RE: Freedom of Information Act**

Doris Brantley
Executive Secretary
S.C. State Board of Cosmetic Art Examiners
1209 Blanding Street
Columbia, SC 29201

Dear Ms. Brantley:

This is in response to your request for the opinion of this Office concerning complaints submitted to your Board about the conduct of persons whom your Board regulates.

South Carolina Code of Laws, 1976, as amended, Section 30-4-20(c) permits a public body to determine that the public interest is best served by not disclosing a particular document. It is the opinion of this Office that the Board of Cosmetic Art Examiners may determine that it is against the public interest to disclose complaints filed against cosmetologists, since releasing such information would inhibit the regulatory efforts of the Board.

Additionally, Section 30-4-40(3)(A) indicates that the Legislature was cognizant of the particular problems of disclosing the identity of informants. Since the conduct complained of would, if true, constitute a 'crime' under South Carolina Code of Laws, 1976, Section 40-13-410, the complaint is also exempted from disclosure, notwithstanding regardless of the Board's decision under the provisions of Section 30-4-20(c).

It is, therefore, the opinion of this Office that complaints to the Board of Cosmetic Art Examiners are exempted from disclosure under the South Carolina Freedom of Information Act.

I hope this has been of some assistance to you. If I can be of any further assistance or if you have any questions, please do not hesitate to contact me.

Very truly yours,

Katherine W. Hill
Assistant Attorney General

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