

1979 WL 43581 (S.C.A.G.)
Office of the Attorney General
State of South Carolina
September 10, 1979

***1 RE: Use of the State Seal**

Honorable Charles E. Lee
Director
S.C. Department of Archives & History
1430 Senate Street
Columbia, SC 29211

Dear Mr. Lee:

Your request for the opinion of this Office regarding the use of the South Carolina State Seal has been forwarded to me for reply. You have inquired whether the South Carolina State Seal may only be duplicated by permission of the State. Additionally, you have asked whether the State may demand royalties on sale of any materials upon which the State Seal may appear.

A search of the South Carolina Code reveals that there is no statutory protection for the State Seal which may, apparently, be duplicated by anyone who wishes without seeking permission of any officer or agency of the State. Accordingly, the State cannot, as of now, treat the Seal as State property and, therefore, demand royalties for its use.

It should be noted that a number of States do protect the use of their sovereign seals by appropriate statutes. It is recommended that South Carolina enact similar legislation.

I hope this has been of some assistance to you.

Very truly yours,

Katherine W. Hill
Assistant Attorney General

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