

1978 WL 35126 (S.C.A.G.)
Office of the Attorney General
State of South Carolina
September 21, 1978

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

Mr. L. Steve Mayfield
Executive Director
South Carolina State Housing Authority
2221 Devine Street
Columbia, South Carolina 29205

Dear Mr. Mayfield:

Recently, you requested an opinion from this Office concerning the release of information about members of the South Carolina State Housing Authority. In particular, you were asking for guidance in response to a memorandum sent out by the South Carolina House of Representatives Task Force Committee on Structure and Authority of State Government. In particular, this agency or committee has requested the social security number, sex, race, occupation, name of spouse and related agency information for each Board member.

This question came up last year, and was addressed by two previous Attorney General's opinions, which you have enclosed with your letter to me. The essence of these opinions was that disclosure of information about State board or agency members was governed by the State's Freedom of Information Act. It continues to be the opinion of this Office that the release of information of a personal nature about State agency board and commission members is to be governed by the State's Freedom of Information Act, which was recently amended in July of this year.

The new Freedom of Information Act, Act No. 593 of the 1978 Acts and Joint Resolutions, makes certain changes in the Freedom of Information disclosure requirements. In particular, Section 6 of the Act makes public the names, sex, race, title and dates of employment of all employees and officers of public bodies. Further, all information in or taken from any account, voucher or contract due and with the receipt of expenditure of public or other funds by public bodies is public information. Also, Section 5(6) makes salaries of all employees at the department head level or above public information.

Therefore, the information mandated for disclosure in the new Freedom of Information Act should be provided by you to the House Committee. The remaining information, of a personal nature, should be disclosed only at the direction of the individual board member. To this end, you should send each member of your board or commission a letter and a form asking which information the board member desires to have made public. Of course, the information previously mentioned as being public should be released by you, regardless of the wishes of the board member.

I hope this information will be helpful to you.

Sincerely,

George C. Beighley
Assistant Attorney General

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