

1978 WL 35238 (S.C.A.G.)

Office of the Attorney General

State of South Carolina

November 24, 1978

\*1 Mrs. Suzette C. Bailey  
Secretary  
The State Migrant Commission  
P. O. Box 11329  
Columbia, SC 29211

Dear Mrs. Bailey:

Your recent letter to Mr. Charles Richardson has been referred to me for response. You requested an opinion concerning the Freedom of Information Act as revised in 1978.

Specifically, you want to know the definition of 'emergency meeting' under Section 9(a) of the new act. 'The words of a statute are given their ordinary meaning subject to legislative intent.' [Ashley v. Ware Shoals Mfg. Co.](#), 42 S.E.2d 390, 210 S.C. 273 (1947); [Greenville Enterprise v. Jennings](#), 41 S.E.2d 868, 210 S.C. 163. Section 9(a) requires written public notice of all regular meetings at the beginning of each calendar year. It also requires public notice of any special or rescheduled meetings on the bulletin board at the office or meeting place of the public body at least twenty-four hours before such meeting. Emergency meetings of public bodies are exempted from the requirements of Section 9(a). Therefore, an emergency meeting cannot be a regularly scheduled meeting, nor a special or rescheduled meeting for which twenty-four hours' notice can be given. The word 'emergency' has been defined as unforeseen circumstances calling for immediate action. [Garvey v. Trow](#), 170 P.2d 845, 64 Ariz. 342. It follows that an emergency meeting would be one which arose from sudden or unexpected conditions which called for immediate action and for which twenty-four hours' notice could not be given.

You also requested a definition of the phrase 'local news media' as used in Section 9(a). Applying the same rules of statutory interpretation as before I would define the ordinary meaning of local news media as any newspaper published in or television or radio station broadcasting from the county in which the body is located and in any county in which the meeting is to be held.

I hope this will aid you in your efforts to conform to the statute. If you have any questions regarding this matter, please feel free to call on me.

Sincerely yours,

Katherine W. Hill  
Assistant Attorney General

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