

1976 S.C. Op. Atty. Gen. 342 (S.C.A.G.), 1976 S.C. Op. Atty. Gen. No. 4482, 1976 WL 23099

Office of the Attorney General

State of South Carolina

Opinion No. 4482

October 7, 1976

\*1 Mr. Thomas P. Culclasure  
Attorney at Law  
Post Office Box 183  
St. Matthews, South Carolina 29135

Dear Mr. Culclasure:

We know of no reason why members of the Calhoun County Rescue Service cannot take advantage of the so-called 'Good Samaritan Law' [S.C. Code Annot. § 46-803 (1962) (Cum. Supp.)] if their services are rendered in 'good faith' and 'gratuitously'; however, should a fee be charged the victim for such service, the members obviously would not qualify for the statute's protection and could be held liable for their tortious acts or omissions. The Rescue Service, as an eleemosynary corporation, of course, would have the traditional charitable immunity protection.

Best wishes,

C. Tolbert Goolsby, Jr.

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