

1975 WL 29805 (S.C.A.G.)

Office of the Attorney General

State of South Carolina

May 13, 1975

*1 The Honorable Henry S. Laffitte
Chairman
Allendale County board of Directors
The Carolina Commercial Bank
Allendale, South Carolina

Dear Mr. Laffitte:

Thank you for your letter of May 5 concerning the application of the Freedom of Information Act and inquiring as follows:

'The Freedom of Information Act states that all meetings, formal or otherwise, etc., have to be open to the public. Does this mean that if two or three or all members of the Board of Directors get together to discuss budgetary items or personal situations, or anything pertaining to the County which needs investigation and review, that the public must be notified of such meetings?

'We have run into a situation in Allendale County whereby it takes a great amount of time to handle various problems which come up. We need to meet often to find out what we need to know about each of these situations. If we have to notify the public, how much notification is required, and what method of notification is necessary?'

There is no requirement in the Freedom of Information Act that the public be notified in advance of public meetings. It is only necessary that these meetings be open to the public unless they come within exemptions made by the Freedom of Information Act. Informal discussion of official meetings will, in most instances, be considered a 'meeting' so as to come within the scope of the law.

The foregoing probably serves to answer your second question also in that it relates to advance notice of meetings. As stated, no such advance notice is required. It is only necessary that if a meeting, formal or informal, is held, the public must have free access to the meeting unless the Act itself provides for exemption from the law.

With best wishes,
Very truly yours,

Daniel R. McLeod
Attorney General

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