

1975 S.C. Op. Atty. Gen. 233 (S.C.A.G.), 1975 S.C. Op. Atty. Gen. No. 4177, 1975 WL 22472

Office of the Attorney General

State of South Carolina

Opinion No. 4177

November 12, 1975

*1 Deputy coroners are not authorized under Section 17-65 to carry a pistol or other handgun.

TO: Administrative Assistant
State Law Enforcement Division

QUESTION PRESENTED:

Are deputy coroners authorized to carry pistols under Section 17-65?

STATUTE INVOLVED:

Section 17-65 of the 1962 Code of Laws, as amended.

DISCUSSION OF ISSUE:

You have inquired whether deputy coroners are included within the terms of Section 17-65 of the 1962 Code of Laws of South Carolina, as amended, which authorizes county coroners, after proper training and only while engaged in his official duties, to carry a pistol or other handgun.

Section 17-65 unambiguously refers only to county coroners. Since it is an accepted rule of statutory interpretation that when language is clear and unambiguous it must be held to mean what it plainly expresses, it is absolutely certain that Section 17-65 applies only to county coroners themselves and not to their deputies. 2A Sutherland Statutory Construction Section 46.01 (4th Ed. 1973)

CONCLUSION:

Therefore, Section 17-65 only authorizes county coroners to carry pistols in the course of their official duties.

Richard P. Wilson
Assistant Attorney General

1975 S.C. Op. Atty. Gen. 233 (S.C.A.G.), 1975 S.C. Op. Atty. Gen. No. 4177, 1975 WL 22472