

1974 S.C. Op. Atty. Gen. 213 (S.C.A.G.), 1974 S.C. Op. Atty. Gen. No. 3818, 1974 WL 21324

Office of the Attorney General

State of South Carolina

Opinion No. 3818

July 2, 1974

***1 Unless negligence is shown, a person is not liable in tort for a drowning in water stored on his property.**

Regional Director
Conservation Districts
Columbia, S. C.

You have inquired whether or not a private landowner is absolutely liable in tort for a death by drowning in waters stored on his land by agreement with the Land Resources Commission.

Although a landowner might make himself liable in tort for such death by an act or omission involving negligence, the bare fact that a person is drowned in waters on the land of another does not *per se* make the landowner liable civilly for such death.

Joseph C. Coleman
Deputy Attorney General

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