

1973 WL 26700 (S.C.A.G.)

Office of the Attorney General

State of South Carolina

April 5, 1973

***1 In Re: Buildings, Statutory Bid Requirements.**

Mr. L. P. Hamilton
State Auditors Office
Engineering Construction Section
Post Office Box 11333
Columbia, South Carolina 29211

Dear Mr. Hamilton:

You have inquired whether or not provisions of Section 1-466, 1962 Code of Laws of South Carolina, requiring competitive bids on public buildings costing more than \$10,000, affect prefabricated buildings costing less than \$10,000, but entailing labor to assemble them that makes the total cost of building and labor more than \$10,000.

It is the opinion of this Office that the clear intent of Section 1-466 is to require competitive bids on public buildings costing more than \$10,000, even though such buildings are not 'constructed' in the usually accepted sense, and that the Section requires competitive bids on the buildings about which you inquire.

Yours very truly,

Joseph C. Coleman
Deputy Attorney General

ATTACHMENT

A BILL

TO PROVIDE THAT FULL-TIME MAGISTRATES' CONSTABLES MAY CARRY PISTOLS IN THE PERFORMANCE OF THEIR OFFICIAL DUTIES, AND TO PROVIDE FOR THE WITHDRAWAL OF SUCH PRIVILEGE UPON CONVICTION OF CERTAIN CRIMES OR FOR USE OF A PISTOL IN A MANNER NOT CONSISTENT WITH ACCEPTED POLICE STANDARDS.

Be it enacted by the General Assembly of the State of South Carolina:

SECTION 1. 'Full-time magistrates' constables' as used herein shall mean magistrates' constables who draw salaries from the county for their services as constables and who are normally on duty as constables not less than fort, hours per week.

SECTION 2. Notwithstanding any other provision of law, full-time magistrates' constables may carry pistols on and about their persons when on official duty as such constables and when going to and from their places of residence; provided, however, that the Chief of the South Carolina Law Enforcement Division, after hearing and for cause, deny such privilege to any such constable who is guilty of using his pistol at any time in a manner inconsistent with accepted police procedures or who commits or has been convicted of any crime for which a penalty of imprisonment for more than one year may be imposed.

SECTION 3. This act shall take effect upon its approval by the Governor.

A BILL

TO PROVIDE THAT FULL-TIME MAGISTRATES' CONSTABLES MAY CARRY PISTOLS IN THE PERFORMANCE OF THEIR OFFICIAL DUTIES??

Be it enacted by the General Assembly of the State of South Carolina:

SECTION 1. Notwithstanding any other provision of law, full-time magistrates' constables, upon approval of the Chief of the State Law Enforcement Division, shall be authorized to carry firearms while in the performance of their official duties.

SECTION 2. The Chief of the State Law Enforcement Division shall promugate rules and regulations necessary to implement the provisions of this act, including the establishment of the type of firearms that such constables may carry and defining 'full-time' within the meaning of Section 1.

*2 SECTION 3. This act shall take effect upon approval by the Governor.

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