

1973 WL 26716 (S.C.A.G.)

Office of the Attorney General

State of South Carolina

April 27, 1973

*1 Honorable Dewey Wise
Senator
23 Broad Street
Charleston, South Carolina 29401

Dear Senator Wise:

Your letter of April 9 requests my opinion as to the constitutionality of a bill which proposes to amend Act No. 893 of 1970, relating to the crime of possession of a firearm during the commission of certain offenses so as to increase the penalties therefor and to add a provision that sentences imposed thereunder should not be suspended.

I am aware of no constitutional infirmity in the bill as submitted by you. The prohibition against suspension of sentences is one which is fairly commonly inserted in statutes in this State, notably the drug statutes and the statutes relating to the manufacture of alcoholic liquors. It is my opinion that such restrictions are valid.

With best wishes,
Very truly yours,

Daniel R. McLeod
Attorney General

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