

## South Carolina – State Public Record Laws

<b>Citations</b>	<p>South Carolina Code of Laws § 30-4-10 et seq.</p> <ul style="list-style-type: none"> <li>▪ (<a href="http://www.scstatehouse.gov/query.php?search=DOC&amp;searchtext=Public%20Records&amp;category=CODEOFLAWS&amp;conid=8576382&amp;result_pos=0&amp;keyval=6422&amp;numrows=10">http://www.scstatehouse.gov/query.php?search=DOC&amp;searchtext=Public%20Records&amp;category=CODEOFLAWS&amp;conid=8576382&amp;result_pos=0&amp;keyval=6422&amp;numrows=10</a>)</li> </ul>
<b>Exemptions to Disclosure</b>	<p>A public body may but is not required to exempt the following records:</p> <ul style="list-style-type: none"> <li>• Trade secrets;</li> <li>• Attorney-client privileged information;</li> <li>• Certain research data from universities. Specifically, “Data, records, or information of a proprietary nature, produced or collected by or for faculty or staff of state institutions of higher education in the conduct of or as a result of study or research on commercial, scientific, technical, or scholarly issues, whether sponsored by the institution alone or in conjunction with a governmental body or private concern, where the data, records, or information has not been publicly released, published, copyrighted, or patented “and “Any data, records, or information developed, collected, or received by or on behalf of faculty, staff, employees, or students of a state institution of higher education or any public or private entity supporting or participating in the activities of a state institution of higher education in the conduct of or as a result of study or research on medical, scientific, technical, scholarly, or artistic issues, whether sponsored by the institution alone or in conjunction with a governmental body or private entity until the information is published, patented, otherwise publicly disseminated, or released to an agency whereupon the request must be made to the agency. This item applies to, but is not limited to, information provided by participants in research, research notes and data, discoveries, research projects, proposals, methodologies, protocols, and creative works.”</li> </ul>
<b>Access Rights</b>	<ul style="list-style-type: none"> <li>• Any person can get records; costs cannot exceed actual costs; reasonable hourly rate allowed for collection and copying; fees can be waived if in the public interest.</li> <li>• Written request for records necessary</li> <li>• 10 business days to notify person who requested records of determination and the reasons why</li> <li>• If the record is 24 months old at the time of the request then the custodian has 20 business days to make the notification</li> <li>• If the request is granted, the record must be furnished or made available for inspection or copying no later than thirty calendar days from the date on which the final determination was provided, unless the records are more than twenty-four months old, in which case the public body has no later than thirty-five calendar days. S.C. Code Ann. § 30-4-30</li> </ul>
<b>Destruction of Public Records</b>	<p>§ 30-1-30 states, “A person who unlawfully removes a public record from the office where it usually is kept or alters, defaces, mutilates, secretes, or destroys it is guilty of a misdemeanor and, upon conviction, must be fined not less than five hundred dollars nor more than five thousand dollars or imprisoned not more than thirty days.</p>