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The State of South Carolina
OFFICE OF THE ATTORNEY GENERAL

CHARLES M. CONDON
ATTORNEY GENERAL

June 22, 1998

Mr. Bobby Bowers, Office Director
State Budget and Control Board
Office of Research and Statistics
1000 Assembly Street, Suite 425
Columbia, South Carolina 29201

Dear Bobby:

This letter is in response to your letter dated June 22, 1998 concerning Act. No. 287 of 1989 which provides for the membership of Horry County Board of Education and the manner in which those members must be elected beginning with the 1990 elections.

Your specific question is whether this Act is still in effect and whether the Board of Education must still be elected from the same method as the county council to which Act 287 makes reference.

Act 287, a review of which reflects has not been amended since it was enacted on May 31, 1989, sets forth a plan that revised the membership of the Horry County Board of Education and also provided for a manner in which those members must be elected beginning with the 1990 elections.

In addition to addressing the election of certain Board members to take place at the 1990 general election, Act 287 also provided election procedures for other Board members in the 1992 general election. That this method of electing members and successors to members as outlined in Act 287 is continuous until the Act is amended was specifically addressed by the following pertinent language:

The successors to the members elected in 1990 and 1992 must be elected in the same manner at the general elections every two or four years thereafter for terms of four years.

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Therefore, per my review, Act 287 which sets forth a method of election for the membership of the Horry County Board of Education is still in effect and this method of election is continuous until further amended by statute.

This letter constitutes informal legal advice. It has been written by the designated Senior Assistant Attorney General and represents the advice of the undersigned attorney as to the specific questions asked. It has not, however, been personally reviewed by the Attorney General nor officially published in the manner of a formal opinion.

If you have further questions, please let me know.

Sincerely,



C. Havird Jones, Jr.
Senior Assistant Attorney General

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