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# The State of South Carolina



## Office of the Attorney General

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May 9, 1989

The Honorable Irene K. Rudnick  
Member, House of Representatives  
310-D Blatt Building  
Columbia, South Carolina 29201

Dear Representative Rudnick:

Your letter addressed to Attorney General Medlock has been referred to me for reply. You have requested on behalf of Steven H. Lott an opinion as to whether or not it would violate the dual office prohibitions of the State Constitution for him to serve on the Indigent Care Advisory Board at the same time that he holds the position of Aiken County Veterans Affairs Officer.

Article XVII, §1A of the South Carolina Constitution prohibits a person from holding ". . . two offices of honor or profit at the same time." It has been the prior opinion of this Office that the office of county veterans affairs officer is an office within the dual office prohibition. However, as Mr. Lott notes in his letter, a 1987 amendment to the law now specifically excludes the office of county veteran affairs officer from being an office within the constitutional prohibition. This amendment which was codified at South Carolina Code of Laws, 1976, as amended, §8-1-130 provides in part that a

. . . county veterans affairs officer  
. . . is not considered to be a dual  
officeholder, by virtue of serving in  
that capacity, for the purposes of the  
Constitution of this State.

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Therefore, as the county veterans affairs office is not an office for purposes of the dual office prohibition, a person holding this position would not be prohibited from accepting an appointment to the Indigent Care Advisory Board.

Yours very truly,



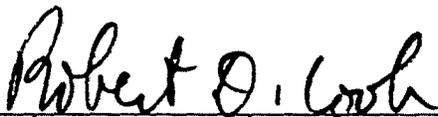
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REVIEWED AND APPROVED BY:



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