

1981 WL 158033 (S.C.A.G.)

Office of the Attorney General

State of South Carolina

October 30, 1981

*1 Mr. W. E. Jenkinson, III
Williamsburg County Attorney
Post Office Drawer 669
Kingstree, South Carolina 29556

Dear Mr. Jenkinson:

Mr. McLeod has referred your recent letter to me for reply. You have inquired if the General Assembly or the County has the power to enact county council lines.

South Carolina Code of Laws, 1976, Section 4-9-90 specifically authorizes that [a]ll districts shall be reapportioned as to population by the General Assembly within one year of the adoption by the State of each federal decennial census except that the General Assembly may delegate this authority to any county or group of counties.

There is presently awaiting second reading a proposed bill, S.407, which would give the power to reapportion to each county council. As this bill has not passed and as Williamsburg County has not been delegated the power to reapportion, it would appear the General Assembly pursuant to Section 4-9-90 would be the only body with the power to reapportion the county.

Sincerely,

Treva G. Ashworth
Senior Assistant Attorney General

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