

1979 WL 42771 (S.C.A.G.)

Office of the Attorney General

State of South Carolina

January 22, 1979

\*1 Ms. Nelle G. Power  
Administrator  
County of Greenville  
Registration and Election Office  
1-A Courthouse Annex  
Greenville, South Carolina 29601

Dear Ms. Power:

You recently asked the opinion of this Office as to whether two public notices of municipal elections are required.

[Section 7-13-35, Code of Laws of South Carolina](#) (1978 Cum.Supp.), provides in part that:

The election commission in each county shall publish two notices of general and special elections held in the county in a newspaper of general circulation in the county. Included in each notice shall be a reminder of the last day persons may register to be eligible to vote in the election for which notice is given. The first notice shall appear sixty days prior to the election and the second notice shall appear two weeks after the first notice.

[Section 5-15-10, Code, supra](#), 1976, states that municipal elections are to be conducted pursuant to Title 7 [Elections] of the Code, [supra](#), 'except as otherwise provided for specifically in Chapters 1 through 17' of Title 5 [Municipal Corporations]. In Chapter 15 of Title 5, [Section 5-15-50](#) (1978 Cum.Supp.) specifically provides that public notice of all municipal elections must be given at least sixty days prior thereto. Thus, the General Assembly clearly intended [Section 5-15-50](#), and not [Section 7-13-35](#), to govern the public notification necessary in municipal elections, and it requires only one public notice sixty days prior to the election.

Based on the foregoing reasons, it is the opinion of this Office that only one notice is necessary prior to a municipal election and that this notice should be made public at least sixty days prior to such election.

Sincerely yours,

James M. Holly  
State Attorney

1979 WL 42771 (S.C.A.G.)

---

End of Document

© 2015 Thomson Reuters. No claim to original U.S. Government Works.