

1979 WL 42889 (S.C.A.G.)

Office of the Attorney General

State of South Carolina

March 29, 1979

*1 Rep. John D. Bradley
House District No. 114
Room 326D
Blatt Building
Columbia, S. C.

Dear Rep. Bradley:

This is in response to your verbal request for an Opinion from this office whether state law prohibits the appointment of an individual to the Charleston County Department of Social Services Board whose wife is also employed by that Board. This Opinion presupposes such individual is otherwise qualified for the appointment.

The members of county departments and boards of social services are appointed by the Governor upon the recommendation of a majority, including the senator, of the county legislative delegation. § 43-3-10. Their duties and responsibilities are established by the general law.

There is no law in South Carolina prohibiting the appointment of the aforesaid individual. However, the individual appointed should be fully appraised of the State Ethics Act, § 8-13-10 et seq., which prohibits certain activities by a public official which would affect his financial interest. Furthermore, I express no opinion on the applicability of certain provisions in federal contracts prohibiting various types of nepotism by agencies receiving federal funds.

Please do not hesitate to contact me if I can be of further assistance to you.

Sincerely,

Frank H. DuRant
Assistant Attorney General

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