

1977 WL 37221 (S.C.A.G.)

Office of the Attorney General

State of South Carolina

January 13, 1977

*1 The Honorable James Brandt
Member
House of Representatives
Allendale County
Allendale, South Carolina

Dear Mr. Brandt:

In reply to your inquiry concerning the procedure for filling the vacancy in the office of sheriff, I advise that this is controlled by Section 53-56 of the Code of Laws, 1962, which provides, in part:

‘In the event that any vacancy shall at any time occur in the office of sheriff—the Governor may appoint some suitable person who, upon duly qualifying, shall be entitled to enter upon and hold the office until the next general election for county sheriffs —.’

The terms of office of sheriffs are fixed by the Constitution of this State at four years. Article 5, Section 20. If a vacancy should occur in the office of sheriff for Allendale County, the above statute is applicable. The present sheriff is now serving a term which will expire two years hence and the general election for filling that vacancy will occur in 1978. The appointee of the Governor, in case of a vacancy in these circumstances, would hold office until November 1978.

With best wishes,
Very truly yours,

Daniel R. McLeod
Attorney General

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