

1977 WL 37202 (S.C.A.G.)

Office of the Attorney General

State of South Carolina

September 23, 1977

*1 Ms. Creola D. Conner
713 E. Liberty Street
Marion, SC 29571

Dear Ms. Conner:

I am in receipt of your recent letter. You have inquired if the Board of Registration employs and dismisses its clerk. There is nothing in the Code which actually refers to the employment and dismissal procedure for the clerk of the Board of Registration.

Section 4-9-30 of the 1976 Code, however, would indicate that a clerk of the Board is employed and dismissed by that Board. This section states in part that the governing authority for a county is responsible for the employing and discharging of county personnel

... in those county departments in which the employment authority is vested in the county government but this authority shall not extend to any personnel employed in departments or agencies under the direction of an elected official or under an official appointed by an authority outside county government. (emphasis added).

This Section would indicate that personnel employed by the Registration Board would not be under the control of the county governing body. Therefore, the Registration Board would have the authority to employ and dismiss the clerk of its Board.

Very truly yours,

Treva G. Ashworth
Assistant Attorney General

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