

1976 S.C. Op. Atty. Gen. 96 (S.C.A.G.), 1976 S.C. Op. Atty. Gen. No. 4283, 1976 WL 22903

Office of the Attorney General

State of South Carolina

Opinion No. 4283

March 4, 1976

*1 The Honorable Robert R. Woods
Member
House of Representatives
Charleston County
Box 2115A
Charleston, South Carolina 29403

Dear Mr. Woods:

You have requested my opinion concerning the propriety of an employee of the State being elected by the General Assembly to serve on a board or agency not related to the employee's work.

I advise that such a procedure is not prohibited by law. In some instances, a dual officeholding problem is presented which may preclude an acceptance of membership on a board without vacating the office previously held.

With specific reference to Dr. Oscar Butler of South Carolina State College, I advise that, in my opinion, Dr. Butler, as an instructor at South Carolina State College, does not occupy a position which constitutes an office within the meaning of the dual officeholding provision of the Constitution. He is therefore, in that respect, eligible for membership upon the governing board of the Department of Social Services.

Very truly yours,

Daniel R. McLeod
Attorney General

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