

1972 WL 25519 (S.C.A.G.)

Office of the Attorney General

State of South Carolina

June 1, 1972

**\*1 Re: No. 74—Election—Misc. No. 256—Schools—General**

Dr. Cyril B. Busbee  
State Superintendent of Education  
Rutledge Building  
Columbia, South Carolina

Dear Dr. Busbee:

In answer to your request for an opinion on the effect of the Numbered Seat Act (1972 Act bearing Ratification Number 1341) on school board elections, I am of the opinion that persons filing for elected positions on school boards will have to file for a particular numbered seat. This Numbered Seat Act clearly states:

‘Each multiple office in this State shall constitute a separate and distinct office to which a separate number shall be assigned within each election district for such an office. A candidate for such an office shall be required to qualify for a specific office and shall not be permitted to qualify for more than one such office in any one election.’

Any earlier legislation in conflict with this Act is repealed by implication to the degree to which they conflict under the general principal of statutory construction that the latest legislative expression controls, unless the legislative intent is otherwise indicated to be to the contrary. (See § 5201, Southerland Statutory Construction, 3rd Edition.)

Contact me if I can assist you in any way.

Sincerely yours,

Hardwick Stuart, Jr.  
Assistant Attorney General

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