

1972 WL 25269 (S.C.A.G.)

Office of the Attorney General

State of South Carolina

April 11, 1972

***1 Re: Pollution Control Authority (Greenville County Air Pollution Control Board)**

Mr. W. G. Crosby
Chief
Air Pollution Control Division
Pollution Control Authority
P. O. Box 11628
Columbia, South Carolina 29211

Dear Mr. Crosby:

You have requested that a determination be made by this office as to whether or not the membership of James H. Ward on the Greenville County Air Pollution Control Board and the Advisory Committee to the State Fire Marshal constitutes dual office holding in violation of Article 17, Section 1A of the South Carolina State Constitution.

This Article provides that no person shall hold two offices of honor or profit at the same time. Under Section 50-1 of the Code of Laws of South Carolina (1962), public officers are defined to mean 'all officers of the State that have heretofore been commissioned and trustees of the various colleges of the State, members of various State boards and other persons whose duties are defined by law'.

Since the Advisory Committee to the State Fire Marshal does not have public duties defined by law within the meaning of Section 50-1 as construed by [Sanders v. Belue, 78 S.C. 171, 58 S.E. 762 \(1907\)](#), the membership of Mr. James H. Ward on the Greenville County Air Pollution Control Board and the Advisory Committee to the State Fire Marshal does not constitute dual office holding as prohibited by the Constitution.

Very truly yours,

Edwin B. Brading
Assistant Attorney General

1972 WL 25269 (S.C.A.G.)

End of Document

© 2021 Thomson Reuters. No claim to original U.S. Government Works.