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The State of South Carolina
OFFICE OF THE ATTORNEY GENERAL

HENRY McMASTER
ATTORNEY GENERAL

November 4, 2005

The Honorable J. Edward Lee, Ph.D.
Mayor, City of York
P. O. Box 500
York, South Carolina 29745

Dear Mayor Lee:

In a letter to this office you indicated that the York City Council has given first reading approval to an ordinance which would extend four council seats set to expire in April, 2006 for an additional eighteen months. Such is being done in order to allow the York County Election Board to begin supervision of the York municipal elections beginning in November, 2007. You have questioned the authority of the council to extend its terms.

Enclosed are copies of several prior opinions of this office which are responsive to your question. The June 6, 2003 opinion concluded that for the reasons stated in the opinion, "...as long as the exercise of this power is reasonable, for a public purpose (not for the benefit of the council members and the mayor) and is precleared with the Department of Justice before the changes are implemented...", municipalities are authorized to extend terms.

With kind regards, I am,

Very truly yours,

Charles H. Richardson
Senior Assistant Attorney General

REVIEWED AND APPROVED BY:

Robert D. Cook
Assistant Deputy Attorney General