

The State of South Carolina



Office of the Attorney General

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May 11, 1994

The Honorable Roger M. Young
Member, House of Representatives
8121 Greenridge Road
North Charleston, South Carolina 29418

Dear Representative Young:

Attorney General Medlock has referred your recent letter to me for reply. You have asked when a special election must be held when a mayor resigns his office approximately one year prior to the end of his term.

S.C. Code Ann. §5-7-200 (b) (1976) states

[a] vacancy in the office of mayor ... shall be filled for the remainder of the unexpired term at the next regular election or at a special election if the vacancy occurs one hundred eighty days or more prior to the next general election.

Therefore, a special election must be held if the vacancy occurs one hundred eighty days or more prior to the next election. If the resignation occurs less than one hundred eighty days prior to the general election, the office will be filled at the general election.

Very truly yours,

A handwritten signature in black ink, appearing to read "Treva G. Ashworth".

Treva G. Ashworth
Deputy Attorney General


TGA:bvc

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REVIEWED AND APPROVED BY:



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