

The State of South Carolina

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Office of the Attorney General

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March 12, 1990

Mr. R. Allen Young
Town Attorney
Town of Mount Pleasant
Post Office Box 745
Mount Pleasant, South Carolina 29465

Dear Mr. Young:

I am in receipt of your letter regarding filing fees. You have asked the following question:

Does South Carolina law require a provision in the municipal statute for indigents in regard to a filing fee statute?

The United States Supreme Court in the case of Lubin v. Panish, 415 U.S. 709 (1974) held that if there was a filing fee required to be paid to run for an Office, then there has to be an alternate procedure for indigents to be placed on the ballot. I am enclosing a prior opinion of this Office that might be of further assistance to you regarding your general question.

Very truly yours,

A handwritten signature in black ink that reads "Treva G. Ashworth".

Treva G. Ashworth
Senior Assistant Attorney General

TGA:bvc
Enclosure

REVIEWED AND APPROVED BY:

A handwritten signature in black ink that reads "Robert D. Cook".

ROBERT D. COOK
Executive Assistant for OpinionsA handwritten signature in black ink that reads "Edwin E. Evans".

EDWIN E. EVANS
Chief Deputy Attorney General