

# The State of South Carolina



## Office of the Attorney General

**T. TRAVIS MEDLOCK**  
ATTORNEY GENERAL

REMBERT C. DENNIS BUILDING  
POST OFFICE BOX 11549  
COLUMBIA, S.C. 29211  
TELEPHONE 803-734-3636

December 19, 1986

The Honorable C. Alex Harvin, III  
The Majority Leader  
South Carolina House of Representatives  
Box 266  
Summerton, South Carolina 29148

Dear Representative Harvin:


You have requested the advice of this Office as to whether provisions of R.612, §4, Acts and Joint Resolutions, 1986 are controlling with respect to §59-19-315 of the Code of Laws of South Carolina, 1976, as amended in 1985. R.612, §4, provides that the elected and appointed members of the Board of Trustees of School District No. One in Clarendon County shall take office at the first official board meeting in the month of January following their election or appointment. Section 59-19-315 provides that the term of office of every elected trustee of a school district must commence one week following the certification of his election. Because R.612, §4 was directed specifically to Clarendon County School District One and was passed more recently than the general provisions of §59-19-315, it may be considered a controlling exception to the provisions of §59-19-315. Sutherland Statutory Construction, Vol. 2A, §51.05. This conclusion is contingent upon the Justice Department's having precleared R.612 pursuant to the Voting Rights Act.

In conclusion, provided that voting rights preclearance has been obtained from the Justice Department, R.612, §4 would be controlling with respect to the commencement of the terms of the Trustees of Clarendon County School District One. If you have any

The Honorable C. Alex Harvin, III  
December 19, 1986  
Page 2

questions or if I may be of other assistance, please let me know.


Yours very truly,



J. Emory Smith, Jr.  
Assistant Attorney General

JESjr/srcj

REVIEWED AND APPROVED BY:



---

Frank K. Sloan  
Chief Deputy Attorney General



---

Robert D. Cook  
Executive Assistant for Opinions