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Opinion No. 85-60 p. 160

Office of the Attorney General

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June 12, 1985

The Honorable Thomas M. Marchant, III
Member, House of Representatives
503 B Blatt Building
Columbia, South Carolina 29211

Dear Representative Marchant:

You have asked for the opinion of this Office as to which members of the Senate and House of Representatives would constitute a given county's legislative delegation since a legislator representing a portion of a particular county may actually reside in another county. As was stated in an opinion of this Office dated June 30, 1981,

[a] legislative delegation would constitute all Senators and House of Representatives members who represent any part of a county. ... Each person elected to represent a portion of Anderson County would therefore be a part of the Anderson County Legislative Delegation and would have votes equal to each other.

See also Ops. Atty. Gen. dated March 15, 1983; February 16, 1967; and November 18, 1966, reaching the same conclusion.

Since the opinion of June 30, 1981 was drafted, we note that Senators are now elected from single-member districts rather than from county-wide or multicounty districts. This Office reaffirms the above-cited opinions and would advise that the method of election, from single-member districts, would not alter our previous interpretation as to composition of a given county's legislative delegation. As before, the county delegation would include any Senator or Representative who represents any portion of that county.

Continuation Sheet Number 2

To: The Honorable Thomas M. Marchant, III
June 12, 1985

We trust that the foregoing satisfactorily responds to your inquiry. Please advise if you need clarification or additional assistance.

With kindest personal regards, I am

Sincerely yours,



Robert D. Cook
Executive Assistant for Opinions

RDC/an