

1983 WL 181733 (S.C.A.G.)

Office of the Attorney General

State of South Carolina

February 3, 1983

*1 The Honorable Paul E. Short, Jr.
Representative
Chester, York and Lancaster Counties
126 Main Street
Chester, South Carolina 29706

Dear Representative Short:

You have requested my opinion as to the method for filling a vacancy on the Chester County School Board of Trustees. A member of the Board whose term did not expire in 1982 was elected in that year to serve as trustee for a different single-member district from the one in which he was then serving. The lines for the districts had been redrawn so that this trustee then lived in the district from which he was elected in 1982 rather than one in which he had been elected earlier. See Act 525 § 4, Acts and Joint Resolutions of South Carolina, 1982. A vacancy now exists in his old district.

Act 198, Acts and Joint Resolutions of South Carolina, 1965, provides that the Governor, upon the recommendation of the Chester County Legislative Delegation shall appoint a successor to fill any vacancy on the Board of Trustees. This law is applicable here as it is specifically directed to the Chester County School Board of Trustees and has not been altered by subsequent legislation. The provision in § 5 of Act 525 for an election to fill a vacancy in the at-large position on the Board appears to apply only to that office. Therefore, the single-member district vacancy here should be filled by the Governor.

If we may be of further assistance to you, please let us know. With best regards, I am
Sincerely yours,

T. Travis Medlock
Attorney General

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