

1983 WL 181750 (S.C.A.G.)

Office of the Attorney General

State of South Carolina

February 15, 1983

*1 The Honorable John I. Rogers, III
South Carolina House of Representatives
310-D Blatt Building
Columbia, South Carolina 29211

Dear Representative Rogers:

This letter is to confirm our telephone conversation of February 14, 1983. You have informed me that a member of the Marlboro County Council died a few days ago. At the date of her death she had two more years remaining on her term of office. You have inquired how this vacancy should be filled.

SOUTH CAROLINA CODE OF LAWS, 1976, as amended, Section 4-9-90 provides in part that:

[v]acancies on the governing body shall be filled in the manner of original election for the unexpired terms in the next general election after the vacancy occurs or by special election if the vacancy occurs one hundred eighty days or more prior to the next general election.

As this vacancy occurs more than one hundred and eighty days prior to the next general election, a special election should be called to fill this vacancy.

Sincerely,

Treva G. Ashworth
Senior Assistant Attorney General

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