

1983 WL 181893 (S.C.A.G.)

Office of the Attorney General

State of South Carolina

May 23, 1983

*1 The Honorable Frank H. McGill
Member
South Carolina Senate
Post Office Box 759
Kingstree, South Carolina 29556

Dear Senator McGill:

You have asked for an opinion from this office regarding who has the power of appointment and removal of the Williamsburg County Tax Collector. Prior to home rule, the appointment of the Tax Collector was provided for in Act No. 240 of 1947. It provided that the Tax Collector would be appointed to office, and removed from office, by a majority of the Williamsburg County Legislative Delegation. Under the Home Rule Act, the county councils have now been given the power to provide by ordinance for all county offices not provided for by general law. § 3, Act No. 283 of 1975. The position of tax collector is not provided for by general law. However, unless the county council has provided by ordinance for changing the method of appointment, the Tax Collector would continue to be appointed by, and subject to removal by, a majority of the Williamsburg County Delegation. The provisions of § 2-7-40 would apply to delegation appointments in a multi-county senatorial district.

Sincerely yours,

David C. Eckstrom
Assistant Attorney General

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