

1981 WL 158118 (S.C.A.G.)

Office of the Attorney General

State of South Carolina

January 28, 1981

\*1 The Honorable Ramon Schwartz, Jr.  
Speaker of the House  
P. O. Box 11867  
Columbia, S.C. 29211

Dear Representative Schwartz:

In a letter to this office you referenced that subsequent to the initial submission of magisterial jury areas for Sumter County to the General Assembly for adoption pursuant to [Section 22-2-30, Code of Laws of South Carolina](#), 1976, as amended, a revised jury area scheme has been submitted to the General Assembly. The initial plan was submitted prior to January 1, 1980 as required by the referenced statutory provision. You questioned whether such subsequent submission was proper inasmuch as such matter was not directly addressed by statute.

In the opinion of this office, it appears that a chief magistrate is authorized to submit a revised jury area plan for adoption by the General Assembly. Admittedly, [Section 22-2-30, supra](#), does provide that any jury area plan was to have been submitted no later than January 1, 1980 to the General Assembly for adoption. However, inasmuch as the General Assembly has failed to adopt any jury area plan submitted to them, the submission of a revised jury area plan appears to be proper. There does not appear to be any question that if the prior plan had been already approved by the General Assembly, the General Assembly could proceed to enact legislation revising such a plan. To permit the submission of a revised plan prior to legislative enactment would appear to avoid repetitive legislative activity.

With best wishes.  
Sincerely,

Charles H. Richardson  
Assistant Attorney General

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