

1983 WL 182059 (S.C.A.G.)

Office of the Attorney General

State of South Carolina

November 17, 1983

*1 The Honorable Patrick B. Harris
Chairman
House Legislative Ethics Committee
House of Representatives
Post Office Box 11867
Columbia, SC 29211

Dear Representative Harris:

In a letter to this Office you asked whether the State Ethics Act prohibits a spouse of a member of the General Assembly from being employed by a county board that is appointed by the legislative delegation.

In responding to your question, I am assuming that the legislator, while having an influence as to an appointment to the county board, takes no action or makes any contribution to the decision by the county board as to whom they employ. The State Ethics Act generally prohibits utilizing an individual's public position in a manner that could affect his financial interests or those of a member of his household. See, e.g., Sections 8-13-410 and 8-13-460, Code of Laws of South Carolina, 1976, as amended.

Assuming, however, that any decision made by a county board as to whom they hire for a particular position is a decision made solely by the board, I am unaware of any provision of the State Ethics Act which would prohibit a spouse of a member of the General Assembly from being considered for employment by the board.

If there are any questions, please contract me.

Sincerely,

Charles H. Richardson
Assistant Attorney General

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