

1983 WL 181962 (S.C.A.G.)

Office of the Attorney General

State of South Carolina

August 2, 1983

\*1 Kenneth G. Goode, Esquire  
Fairfield County Attorney  
Post Office Box 488  
Winnsboro, South Carolina 29180

Dear Mr. Goode:

Your recent letter has been referred to me for reply. You have informed me that a member of the Fairfield County Council recently died. At the date of his death he had approximately one and a half years remaining on his 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 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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