

1981 WL 158250 (S.C.A.G.)

Office of the Attorney General

State of South Carolina

April 24, 1981

*1 Robert P. Lusk, Esquire
Attorney at Law
Post Office Box 1286
Anderson, South Carolina 29622

Dear Mr. Lusk:

In response to your request for opinions from this Office, I can advise you as follows:

1. [Section 4-9-10\(a\), CODE OF LAWS OF SOUTH CAROLINA](#), 1976, as amended, authorizes only the pure single member district or pure at large methods of electing county council members so that Anderson County cannot have 5 council members from single member districts and 3 council members elected at large.
2. [Section 4-9-10\(a\), CODE OF LAWS OF SOUTH CAROLINA](#), 1976, as amended, authorizes only single member election districts as one of the two permissible methods of election so that Anderson County cannot have two council members from each single member district. See, 59 STAT. 2287 (1976).
3. According to [Section 4-9-90, CODE OF LAWS OF SOUTH CAROLINA](#), 1976 (Cum.Supp.), the General Assembly apportions the single member districts although it may delegate this authority to a county or group of counties. I understand that the General Assembly may amend the legislation to require that county councils apportion after the initial apportionment but I do not know the status (or content) of any proposed legislation.

With kind regards,

Karen LeCraft Henderson
Senior Assistant Attorney General

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