

1982 WL 189300 (S.C.A.G.)

Office of the Attorney General

State of South Carolina

May 21, 1982

*1 The Honorable T. Moffatt Burriss
Member
House of Representatives
Box 55
Columbia, South Carolina 29202

Dear Representative Burriss:

You have asked the opinion of this Office on whether it would be a violation of the provisions of the South Carolina Constitution prohibiting dual office-holding for a member of the General Assembly concurrently to serve as a member of the Board of the Heritage World Expo Authority, which is provided for by the 1982 act designated R.408 (H.3220).

Members of the General Assembly clearly hold public offices of honor and profit within the meaning of the dual office-holding provisions of the [South Carolina Constitution, Article XVII, § 1A](#); Article VI, § 3; Article III, § 24. Because R.408 provides that the Heritage World Expo Authority is a body politic and an instrumentality of the State, and because the Authority's express powers include the power of eminent domain and the same power to issue revenue bonds as possessed by counties, cities, school districts and other political subdivisions, it is the opinion of this Office that membership on the Board of the Authority also constitutes such a public office. Therefore, it would be a violation of the dual office-holding provisions of the South Carolina Constitution for a person concurrently to serve in both.

Sincerely,

James M. Holly
Assistant Attorney General

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