

1980 WL 120638 (S.C.A.G.)

Office of the Attorney General

State of South Carolina

January 29, 1980

*1 Honorable, Michael S. Gulledge
Member
House of Representatives
Post Office Box 339
Abbeville, South Carolina 29620

Dear Representative Gulledge:

In response to your request for an opinion from this Office concerning the eligibility of an Abbeville County employee to run for a municipal office, I know of no state statute which would prohibit such activity. [Section 5-7-180, CODE OF LAWS OF SOUTH CAROLINA](#), 1976, as amended, prohibits a mayor or municipal council member from holding any other municipal office or municipal employment and [Section 4-9-180, CODE OF LAWS OF SOUTH CAROLINA](#), 1976, as amended, requires any county officer or employee who has a substantial financial interest in any business which contracts with the county to disclose that interest and refrain from participating in matters related thereto. The provisions of [Section 8-13-10, CODE OF LAWS OF SOUTH CAROLINA](#), 1976, as amended, the ethics legislation, require a public officer or employee to take certain actions where a decision would affect his financial interest, [§ 8-13-460, CODE OF LAWS OF SOUTH CAROLINA](#), 1976, as amended. All of these statutes may become relevant if the Abbeville County employee is a successful candidate, but they do not bar his mere candidacy for a municipal office. Finally, there may be Abbeville County personnel policies and procedures which have some bearing on the question (e.g., limiting political activity by county employees) and you will need to contact the Abbeville County authorities as to those.

With kind regards,

Karen LeCraft Henderson
Senior Assistant Attorney General

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