

1980 WL 121120 (S.C.A.G.)

Office of the Attorney General

State of South Carolina

March 24, 1980

*1 The Honorable Robert C. Lake, Jr.
Senator
District No. 5
P. O. Box 245
Whitmire, SC 29178

Dear Senator Lake:

This letter is to confirm my telephone conversation with Mr. Dillard of your office on March 21, 1980. You had inquired if the Chief of Police in the Town of Whitmire could run for the office of Commissioner of Public Works for the Town of Whitmire.

There is no South Carolina statute which would prohibit him from maintaining his position as Chief of Police during the course of his candidacy. However, any agency may promulgate its own rules and regulations which govern persons within that agency. Therefore, if the police department or the Town of Whitmire has promulgated rules and regulations which prohibit political activity, etc., these guidelines would control an employee of that agency.

Additionally, if he is paid in whole or in part by federal funds, or if his job is related to an activity which receives federal funds, he comes within the provisions of the Hatch Act and determinations of permissible activities must be made by the Office of Personnel Management, Office of General Counsel, Washington, D.C.

Very truly yours,

Treva G. Ashworth
Senior Assistant Attorney General

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