

1980 WL 121203 (S.C.A.G.)

Office of the Attorney General

State of South Carolina

May 1, 1980

**\*1 RE: Opinion Request**

S. Jahue Moore, Esquire  
Post Office Drawer 175  
West Columbia, South Carolina 29169

Dear Mr. Moore:

You have asked the opinion of this office on whether a dual office holding problem would arise if an individual simultaneously served as a police officer for the Town of Irmo and as a Security Officer for the South Carolina Department of Mental Health.

The position of Security Officer for the Department of Mental Health is provided for by § 44-11-79, Code of Laws of South Carolina (1976). This office has previously held that such security officers do hold an office within the meaning of the dual office holding provision of the Constitution. Moreover, this office has previously issued opinions that police officers hold an office within the meaning of the dual office holding provision. Accordingly, it is the opinion of this office that the dual office holding provision would be violated if an individual simultaneously held a position as a Security Officer for the Department of Mental Health and as a Police Officer for the Town of Irmo.

Sincerely,

James W. Johnson, Jr.  
Assistant Attorney General

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