

1980 WL 120842 (S.C.A.G.)

Office of the Attorney General

State of South Carolina

August 21, 1980

***1 RE: Opinion Request: § 8 PART 1 of R585 of 1980**

The Honorable Daisy P. Porter
Judge of Probate
Saluda County
Saluda County Courthouse
Saluda, South Carolina 29138

Dear Judge Porter:

Thank you for your letter concerning the above. From the facts recited therein, it appears that the Saluda County Council has neither diminished nor raised the annual salary fixed by it for the Probate Judge. [Sections 8-21-760](#) and [4-9-30, Code of Laws for South Carolina, 1976](#), as amended, prohibit the county governing body from reducing the salary of the Probate Judge during the term of his office. However, it is clear that these sections apply only to salaries fixed by the county governing body, not to state supplements.

The fact that the state supplement is effectively reduced because related employer contributions are taken from the supplement this year does not alter the conclusion that the county governing body has not reduced the salary of the Probate Judge 'fixed' by it.

With best wishes, I remain
Very truly yours,

Edwin E. Evans
Assistant Attorney General

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