

1980 WL 121011 (S.C.A.G.)

Office of the Attorney General

State of South Carolina
December 29, 1980

*1 John I. Seigler
Sheriff
Colleton County
Walterboro, South Carolina 29488

Dear Sheriff Seigler:

You have asked the opinion of this Office concerning the date on which your term of office as Sheriff of Colleton County would expire.

As I understand the circumstances, the last general election for the office of Sheriff for Colleton County prior to the November, 1980, general election was conducted in November, 1976. [Section 23-11-10, Code of Laws of South Carolina, 1976](#). Furthermore, as for all sheriffs in the state, the term of office for the Sheriff of Colleton County is four years. [Article V, Section 20, South Carolina Constitution](#).

This Office previously has concluded that section 4-11-10 requires that the terms of office of sheriffs commence on the first Tuesday in January following the general election. Op. Atty. Gen'l., 1960, No. 192; Op. to C. Gordon McBride, Esquire, November 14, 1980 [copies enclosed]. Thus, the last term of office for Sheriff of Colleton County would have commenced on the first Tuesday in January, 1977. This authority also would govern the expiration of terms of office for sheriffs.

Based on the foregoing, it is the opinion of this Office that the current term of office for the Sheriff of Colleton County would expire with the commencement of the new term on January 6, 1981.

Sincerely,

James M. Holly
Assistant Attorney General

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