

1977 WL 37293 (S.C.A.G.)

Office of the Attorney General

State of South Carolina

April 7, 1977

\*1 Mr. Wayne Shelley  
Secretary  
Marion County Social Services Board  
P. O. Box 1135  
Marion S.C. 29571

Dear Mr. Shelley:

I am writing this letter in response to your request for advice on dual office holding. The two enclosed opinions state that a position on the Human Resources Development Commission for Marion and Dillon Counties and the Marion County Social Services Board is an office as that term is used in the State Constitution. The question as to the County Attendance Officer is not as clear. I have inferred from your letter that the Board of Education has employed this individual pursuant to and that his duties are controlled by South Carolina Code of Laws, § 21-761, et seq. This Office has consistently advised that an employee is not an officer as that term is used in the State Constitution.

If I can be of any further assistance, please let me know.

Sincerely yours,

Richard D. Bybee  
Legal Assistant

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