

1977 WL 37351 (S.C.A.G.)

Office of the Attorney General

State of South Carolina

May 31, 1977

*1 The Honorable John D. Long
State Senator
Box 266
Union, South Carolina 29379

Dear John:

You have asked whether the Executive Secretary-Treasurer of the Union County Fair Association may serve as such while occupying another position which is an office within the meaning of the dual officeholding provision of the Constitution.

In my opinion, the Executive Secretary-Treasurer is not an officer, but is an employee, and therefore may hold one position which is an office while at the same time holding the position of Executive Secretary-Treasurer of the Fair Association.

The Fair Association is governed by a board of directors who, in turn, elect an Executive Secretary-Treasurer to serve at the pleasure of the board and is subject to the direction and control of the board. In my opinion, this constitutes an employment rather than an office.

I therefore advise that, in my opinion, no dual officeholding relationship exists where the same individual holds an office and also serves as Executive Secretary-Treasurer of the Association.

With best wishes,
Very truly yours,

Daniel R. McLeod
Attorney General

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