

1977 WL 37017 (S.C.A.G.)

Office of the Attorney General

State of South Carolina

August 1, 1977

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Attorney at Law
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Moncks Corner, South Carolina 29461

Dear Mr. West:

A question has arisen as to the intent of an opinion which I wrote to you on October 18, 1976. You had requested an opinion from this Office as to the terms of office of the Goose Creek mayor and members of council and I was of the opinion that the mayor serves a four-year term, three of the six council members serve four-year terms and the remaining three council members begin with two-year terms.

Please let me make absolutely clear that the four-year terms are to begin with the members of council and mayor elected after the adoption of the mayor-council form of municipal government; if the present members of council and the present mayor were elected for two-year terms when they were elected, then the four year terms will not apply until the first council and mayor are elected after the adoption of the mayor-council form. I had assumed that the present council and mayor had run for four-year terms after the provisions of Act No. 283 of 1975, the 'home rule' legislation, became effective for Goose Creek. If this is not the case, and I have subsequently been advised that it is not, then the present members of council and mayor do not serve four-year terms because they were not elected to four-year terms.

With kind regards,

Karen LeCraft Henderson
Assistant Attorney General

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