

1977 S.C. Op. Atty. Gen. 183 (S.C.A.G.), 1977 S.C. Op. Atty. Gen. No. 77-251, 1977 WL 24592

Office of the Attorney General

State of South Carolina

Opinion No. 77-251

August 10, 1977

\*1 Richard Ruhle, Esquire  
Post Office Box 107  
Anderson, South Carolina 29622

Dear Mr. Ruhle:

In response to your request for an opinion from this Office as to the alteration of ward and precinct lines in Anderson, although Section 5–15–50, CODE OF LAWS OF SOUTH CAROLINA, 1976 (formerly § 47–93 of the 1962 Code, as amended), provides that the municipal governing body is to establish municipal ward and precinct lines by ordinance, Act No. 503 of 1976 [59 STAT. 150I (1976)] amended Section 7–7–10, CODE OF LAWS OF SOUTH CAROLINA, 1976 (formerly § 23–153 of the 1962 Code, as amended), as follows:

For the purpose of holding any general, primary or special election in this state the voting precincts and voting places in the several counties of the state shall be designated, fixed and established by the General Assembly. (Emphasis added.)

Inasmuch as Act No. 503 of 1976 was enacted subsequent to Section 5–15–50 of the 1976 Code, its provisions reflect the last expression of the legislative will and effect an implied repeal of any contrary provisions of Section 5–15–50. Moreover, legislation was introduced during the 1977 session of the General Assembly which, if enacted, would amend Section 5–15–50 to allow the municipal governing body to establish ward lines only. Although that legislation did not pass during the past session, the consensus is that it will be passed next year. In the meantime, my opinion is that those provisions of Section 5–15–50 which authorize the municipal governing body to establish precinct lines have been superseded by the provisions of Act No. 503 of 1976 which vest that authority in the General Assembly.

With kind regards,

karen LeCraft Henderson  
Assistant Attorney General

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