

1976 WL 30595 (S.C.A.G.)

Office of the Attorney General

State of South Carolina

January 12, 1976

\*1 Mr. Russell B. Shetterly  
Executive Director  
South Carolina Association of Counties  
Suite 808  
SCN Center  
Columbia, South Carolina 29201

Dear Mr. Shetterly:

You have requested an opinion from this office as to whether or not Section 14-3703(7) of Act No. 283 of 1975, the 'home rule' legislation, applies only to the salary paid at the beginning of an elected official's term.

Section 14-3703(7) reads in part:

. . . The salary of those officials elected by the people may be increased but shall not be reduced during the terms for which they are elected, . . .

Section 14-3703(7) states a general restriction upon the power of a county governing body to reduce the salary of an elected official during his term of office; in my opinion, it cannot be read in such a way as to permit a county governing body to increase the salary of an elected official and then, later in his term of office, reduce that salary by the amount of the increase. Even though the net effect would not result in a reduction in the official's initial salary, it would, nonetheless, be a reduction of salary during the term for which the official was elected and, thus, would be proscribed by Section 14-3703(7).

With kind regards,

Karen LeCraft Henderson  
Assistant Attorney General

1976 WL 30595 (S.C.A.G.)

---

End of Document

© 2016 Thomson Reuters. No claim to original U.S. Government Works.