

1978 WL 34672 (S.C.A.G.)

Office of the Attorney General

State of South Carolina

January 26, 1978

*1 Mr. Ward Peagram
Gadsden Street
Chester, South Carolina 29706

Dear Mr. Peagram:

The Honorable Ernie Nunnery has told me that you have raised the question with respect to the validity of school board members in Chester County being appointed rather than elected in that the school district had some taxing authority.

There is nothing unconstitutional with appointed boards having the power to levy taxes and, in fact, this exists in many counties of the State, especially with respect to school trustees. The appointment in Chester is for the unexpired term, as you know, and is normally done to avoid the costs, etc., of an election in order to fill a vacancy for what may be a very short period of time.

If you have any further questions in this matter, I will be pleased to consider them.

Very truly yours,

Daniel R. McLeod
Attorney General

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