

1978 S.C. Op. Atty. Gen. 31 (S.C.A.G.), 1978 S.C. Op. Atty. Gen. No. 78-18, 1978 WL 22504

Office of the Attorney General

State of South Carolina

Opinion No. 78-18

January 30, 1978

*1 Term of office of coroner of Spartanburg County appointed to fill vacancy fixed by Constitution at four years.

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Dear Matthew:

Thank you for your letter of January 85 inquiring as to the term of office for an individual appointed to fill a vacancy in the office of coroner.

In my opinion, the matter is settled by the decision of the Supreme Court in [Privette v. Grinnell](#), 191 S.C. 376, 4 S.E.2d 305, and the provisions of Section 4-11-20.

According to the Secretary of State's record, George Adams was elected in 1976 and died on or about January 13, 1978. Roger A. Smith was appointed to succeed Adams on January 13, 1978. In the case of a vacancy which Smith is appointed to fill, he holds under the provisions of Section 4-11-20 'until the next General Election for such office if the term of such office be fixed by the State Constitution.' In the case of coroners, the term is fixed at four years by the Constitution. Under [Privette v. Grinnell](#), as well as under the provisions of Section 4-11-20, he holds until the next General Election for the office of coroner. That election will not be held until 1980. See Section 17-5-10.

I am enclosing herewith an opinion dated March 21, 1966, with respect to clerks of court, who are in the same position as coroners.

With best wishes,
Cordially,

Daniel R. McLeod
Attorney General

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