

1979 WL 43049 (S.C.A.G.)

Office of the Attorney General

State of South Carolina

June 6, 1979

\*1 Honorable William W. Doar, Jr.  
Senator  
Office No. 5  
Box 418  
Georgetown, SC 29440

Dear Senator Doar:

Mr. McLeod has referred your recent letter to me for reply. You have inquired if the Governor would fill a vacancy in the office of sheriff.

South Carolina Code of Laws, 1976, Section 23-11-40 states in part that

[I]n the event that any vacancy shall, at any time occur in the office of sheriff in any county of this State, the Governor may appoint some suitable person, who shall be an elector of such county and who . . . shall . . . hold the office until the next general election for county sheriffs . . . See also South Carolina Code of Laws, 1976, Sections 1-3-220(2); 4-11-20(1); [Privette v. Grinnell](#), 191 S.C. 376; 45 S.E.2d 305 (1939).

Therefore, any vacancy in the office of sheriff would be filled by the Governor.

Very truly yours,

Treva G. Ashworth  
Senior Assistant Attorney General

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