

1979 WL 43497 (S.C.A.G.)

Office of the Attorney General

State of South Carolina

July 31, 1979

\*1 Honorable Richard W. Riley  
Governor  
State House  
Columbia, South Carolina

Dear Governor Riley:

In response to your request for an opinion from my Office regarding the constitutionality of an act of the General Assembly providing that the Darlington County Council members are to be elected from the single member election districts prescribed in Act No. 750 of 1978 [60 STAT. 2421 (1978)], it is my opinion that such legislation is most probably constitutional for the same reasons discussed in my July 18, 1979, opinion to you concerning similar legislation for Chester County. As I understand it, Darlington County held a referendum pursuant to Joint Resolution No. 668 of 1978 [60 STAT. 2321 (1978)] during the 1978 general election and selected the single member district method of election for its county council members. In my opinion, this legislation is 'necessary to place Article VIII fully into operation' in Darlington County as was approved in [Duncan v. The County of York](#), 228 S.E.2d 92 (1976), and is distinguishable from the 'second-shot' local legislation invalidated in [Van Fore v. Cooke](#), — S.C. — (Opinion No. 20953 filed May 3, 1979).

Very truly yours,

Daniel R. McLeod  
Attorney General

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