

1979 WL 43100 (S.C.A.G.)

Office of the Attorney General

State of South Carolina

October 4, 1979

*1 The Honorable James M. Waddell, Jr.
Senator
District No. 15
P. O. Box 1026
Beaufort, SC 29902

Dear Senator Waddell:

This letter is to confirm our telephone conversation of October 3, 1979. You have inquired how a person appointed to the board of regents of the Beaufort County Memorial Hospital can be removed from office. Act No. 1197 of 1966 states that after the original appointments, the members of the board shall be appointed for four years.

The general law states that if an office is appointive and there is no set term, the officer can be removed at will. If the office has a set term, then there must exist good cause to remove the appointed officer. 63 Am.Jur. 2d Public Officers and Employees, §§ 179-180; 67 C.J.S. Officers, § 59(2); [Williams v. Wannamaker](#), 213 S.C. 1 (1948). The South Carolina Constitution provides in Article VI, § 9 that officers may be removed for incapacity, misconduct or neglect of duty.

Very truly yours,

Treva G. Ashworth
Senior Assistant Attorney General

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