

1979 WL 43175 (S.C.A.G.)

Office of the Attorney General

State of South Carolina

November 15, 1979

*1 Chief G. W. Wilson
Assistant Chief of Police
Gray Court Police Department
Gray Court, South Carolina

Dear Chief Wilson:

In a recent letter to this Office you questioned the propriety of the appointment of the wife of a present town councilman as city recorder. Please be advised that I am unaware of any State statutory or constitutional provisions which would prohibit such an individual holding the position of town recorder. The State anti-nepotism statute, [Section 8-5-10, Code of Laws of South Carolina](#), 1976, does not apply to counties or municipalities. See, E.g., 1963-1964 Ops. Atty. Gen. No. 1681. Such opinion stated that the referenced code section applies to State departments only and does not apply to political subdivisions such as counties and municipalities. Therefore, such nepotism statute would be irrelevant to the above situation. As to any local ordinance or regulation that may be relevant to the matter, I suggest you contact your city attorney.

With best wishes, I am
Very truly yours,

Charles H. Richardson
Assistant Attorney General

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