

1978 WL 34898 (S.C.A.G.)

Office of the Attorney General

State of South Carolina

May 4, 1978

*1 Honorable Charles G. Garrett

Honorable Jefferson Verne Smith
South Carolina Senate
The State House
Columbia, South Carolina 29201

Dear Senators:

In our conversation on Tuesday you indicated that Greenville County planned to hold an advisory election for the purpose of nominating a candidate to fill the vacant magisterial office for the City of Greenville. At this time you questioned whether the candidates for such office could be restricted to persons residing within the City of Greenville and also whether only qualified electors residing in Greenville would be eligible to vote.

This office has concluded that inasmuch as there are no statutory requirements for such restrictions as above outlined, it appears that all qualified electors of Greenville County would be eligible to offer for the position of magistrate and to vote for those offering. A more detailed opinion outlining the basis for such a response is enclosed for your convenience. If there are any questions, do not hesitate to contact me.

With best wishes, I am
Very truly yours,

Charles H. Richardson
Assistant Attorney General

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