

1978 WL 34916 (S.C.A.G.)
Office of the Attorney General
State of South Carolina
May 18, 1978

*1 Mr. James B. Ellisor
Executive Director
State Election Commission
2221 Devine Street, Suite 105
P. O. Box 5987
Columbia, S. C. 29250

Dear Mr. Ellisor:

You have requested an opinion of this Office as to whether an individual convicted of wilfully supplying false or fraudulent information to the Internal Revenue Service as to his income so as to decrease the amount of tax owed is eligible to hold office within this State.

By [Section 7-5-120, Code of Laws of South Carolina](#), 1976, the General Assembly, pursuant to [Article II, Section 7 of the South Carolina Constitution](#), has established that persons convicted of certain crimes shall be disqualified to vote. Section 7-5-170(b), [supra](#), states that:

Persons convicted of burglary, arson, obtaining goods or money under false pretenses, perjury, forgery, robbery, bribery, adultery, bigamy, wife-beating, housebreaking, receiving stolen goods, breach of trust with fraudulent intent, fornication, sodomy, incest, assault with intent to ravish, murder, rape or crimes against the election laws shall be disqualified from being registered or voting, unless such disqualification shall have been removed by pardon.

It is the opinion of this Office that the crime the above-referenced individual was convicted of is not of a sufficient similar nature to a disqualifying crime included in the list in [Section 7-5-120, supra](#), so as to disqualify that individual from registering to vote and thus being able to hold office. As you are aware, it is essential that an individual must be a qualified elector in order to be eligible to hold office in this State.

With best wishes, I am
Very truly yours,

Charles H. Richardson
Assistant Attorney General

1978 WL 34916 (S.C.A.G.)