

1978 WL 34599 (S.C.A.G.)

Office of the Attorney General

State of South Carolina

August 28, 1978

**\*1 RE: Elections, Board of Trustees of the School District of Oconee County**

W. J. Fedder, Esquire  
Fedder, Derrick, Ritter & Williams  
South Fairplay Street  
Seneca, South Carolina 29678

Dear Mr. Fedder:

You have recently asked the opinion of this Office as to whether the provisions of Act Number 1274, Acts and Joint Resolutions, 1974, page 2994, which provide that candidates for the Board of Trustees of the School District of Oconee County file with the Superintendent of Education have been superseded by recent revisions in the general statutory law on elections.

The general statutory law to which your letter refers is Act Number 1235, Acts and Joint Resolutions, 1974, page 2866. This Act [S 352] was passed on August 8, 1974, and signed by the Governor on August 12, 1974. Act 1274 [H 2787] was enacted on August 22, 1974, and signed by the Governor on September 4, 1974. From this chronology of events, it is evident that the General Assembly specifically intended that the special election provisions of Act 1274 were to govern future elections of the Board of Trustees of the School District of Oconee County. Thus, this legislative intent must prevail. See the numerous cases annotated at West's South Carolina Digest, Volume 17, Statutes, Key Numbers 181(1), 223.3, and 223.4. Also see 82 C.J.S., Statutes, § 297.

Therefore, it is the opinion of this Office that the provisions of Act 1274 which provide that candidates file notification with the Superintendent of Education have not been superseded by Act 1235.

Sincerely yours,

James M. Holly  
Staff Attorney

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