

1975 S.C. Op. Atty. Gen. 65 (S.C.A.G.), 1975 S.C. Op. Atty. Gen. No. 3991, 1975 WL 22289

Office of the Attorney General

State of South Carolina

Opinion No. 3991

March 10, 1975

\*1 The Honorable Andrew F. Hodges  
Deputy County Attorney  
Office of the County Manager  
County Office Building  
2 Court House Square  
Charleston, South Carolina

Dear Mr. Hodges:

Thank you for your letter of February 11 reading as follows:

‘Mr. William Edwards, a member of the Charleston County Zoning Board of Adjustment, was recently elected to the James Island Public Service District Commission. This letter is to request a formal opinion from your office as to whether or not this constitutes dual officeholding within the meaning of Art. XVII, sec. 1A, of the South Carolina Constitution.’

In reply thereto, I advise that, in my opinion, each of these positions constitutes an office and that the same person may not at the same time hold both positions. I advise, therefore, that the dual officeholding provision will be violated by such dual occupancy.

The statutory authorities upon which this opinion is based are set forth below:

Section 14–368, Code of Laws, 1962, 1961 Acts 1917 creating the James Island Public Service District, as amended by 1973 Acts 1092, and 1974 Acts 3210.

With best wishes,  
Very truly yours,

Daniel R. McLeod  
Attorney General

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