

1975 WL 33553 (S.C.A.G.)

Office of the Attorney General

State of South Carolina

April 8, 1975

\*1 The Honorable William W. Doar, Jr.  
Member  
South Carolina Senate  
Box 418  
Georgetown, South Carolina 29440

Dear Bill:

Thank you for your letter of March 24, 1975, requesting an opinion as to whether or not a member of the Georgetown County Airport Commission can also serve as a member of the Town Council of Andrews.

In my opinion, each of these positions constitutes an office within the meaning of the dual officeholding provision of the Constitution of South Carolina and the same person cannot therefore occupy both of the positions at the same time without violating those provisions.

The position of member of Town Council is undoubtedly an office.

The Georgetown County Airport Commission was created by Act No. 1826 of 1972 (72 Acts 3629). The terms are fixed by law, they are vested with the power of condemnation, and to perform other acts which clearly meet the indicia of an office in the constitutional sense. In my opinion, one who holds a position on the Georgetown County Airport Commission is such an officer.

For the foregoing reasons, I am of the opinion that occupancy by the same person of the two positions to which you refer would be in violation of the dual officeholding provision of the Constitution.

With best wishes,  
Very truly yours,

Daniel R. McLeod  
Attorney General

1975 WL 33553 (S.C.A.G.)

---

End of Document

© 2018 Thomson Reuters. No claim to original U.S. Government Works.