

1975 WL 29010 (S.C.A.G.)

Office of the Attorney General

State of South Carolina

July 15, 1975

*1 Ms. Sue G. Padgett
University of South Carolina
Bureau of Governmental Research and Service
Columbia, South Carolina 29208

Dear Ms. Padgett:

Your request for information on rules and procedural matters dealing with Town Councils has been forwarded to me for reply.

The 'Home Rule Bill' S-18, R396, has provisions that may prove relevant to your inquiry. Article 3, Sections 47-49 and 47-50 deal with forfeiture of office of Mayor and Councilman. (Copies Enclosed)

Generally, forfeiture of office has been necessitated only by gross neglect, inefficiency, incapacity or immorality. Censure is the recourse most often taken in violation of the nature you've mentioned.

It appears that while a town council may set up its own rules regarding attendance that in-body expulsion is not within the members' power.

If any further information or clarification is needed on this matter, please contact this Office.

Sincerely yours,

James Cheek
Law Clerk

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