

1975 WL 29275 (S.C.A.G.)

Office of the Attorney General

State of South Carolina

September 18, 1975

*1 G. Werber Bryan, Esquire
County Attorney
Post Office Box 2038
Sumter, SC 29150

Dear Mr. Bryan:

In response to your request for an opinion as to what form of government Sumter County will have after July 1, 1976, if it does not conduct a referendum pursuant to Section 14-3701(a) of Act No. 283 of 1975, the 'home rule' legislation, I am enclosing a copy of an earlier opinion rendered to Speaker Emeritus Solomon Blatt concerning Barnwell County. That opinion is, I believe, dispositive of the questions you raise.

If Sumter County does not conduct a referendum on a form of government for the County prior to July 1, 1976, then, beginning on that date, pursuant to Section 14-3701(b) of the Act, Sumter County will have the council-administrator form of government as prescribed in Article 4 of the Act. The powers and duties possessed by the council-administrator form will be those set forth in Articles 1, 4 and 7 of the Act as well as Sections 3 and 4 of the Act. The council will continue to be elected at large and will continue to have seven members who will serve four year terms. See, 55 STAT. Act No. 371 Section 3 at 523 (1967); 55 STAT. Act No. 1339 at 3121 (1968).

With kind regards,

Karen LeCraft Henderson
Assistant Attorney General

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