

1974 S.C. Op. Atty. Gen. 55 (S.C.A.G.), 1974 S.C. Op. Atty. Gen. No. 3702, 1974 WL 21221

Office of the Attorney General

State of South Carolina

Opinion No. 3702

February 1, 1974

*1 Mr. Steve Gierhart
Research Assistant
State Legislative Council
Room 534, State Capitol
Oklahoma City, Oklahoma 73105

Dear Mr. Gierhart:

Your letter of January 10, 1974, concerning whether or not South Carolina permits absentee balloting in school or municipal elections has been forwarded to this office for reply. Under South Carolina law absentee balloting would be permitted in both school and municipal elections.

By code section 23-449.11 of the South Carolina Code of Laws, 1962, as amended, the State Elections Commission is made responsible for printing and distributing the necessary forms to allow absentee balloting in general and special elections. A general election is defined at Section 23-2(1) as meaning . . . the election . . . held for the election of officers to the regular terms of office provided by law, whether State, United States, county, municipal or of any other political subdivision of the State, and for voting on constitutional amendments proposed by the General Assembly.

Under the terms of this broad definition and the statutory authority of section 23-449.12 requiring liberal construction of these provisions, absentee ballots would be permissible in school, or municipal elections.

If this office can be of any further assistance, please do not hesitate to contact me.

Sincerely,

Treva Ashworth
Staff Attorney

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