

1974 WL 28096 (S.C.A.G.)

Office of the Attorney General

State of South Carolina

March 21, 1974

*1 Mr. Thomas E. Smith Jr., Esquire
Attorney at Law
Post Office Box 308
Pamplice, South Carolina 29583

Dear Senator Smith:

You have requested that this Office advise you as to the method by which the unexpired term of a member of the Florence County Council should be filled.

The unexpired term exists with reference to seat #8, established pursuant to Act No. 1219, 1968 Acts and Joint Resolutions, subsequent amendment appearing in Act No. 1159, 1970 Acts and Joint Resolutions, reapportioning Florence County changed seat #8 to District No. 4.

The method by which vacancies in office are to be filled is prescribed by Act No. 1219 (supra) and states in subparagraph (e):

Any vacancy on the County Council occurring before the expiration of a term shall be filled for the unexpired portion of the term by the same method as provided for the original holder of the office.

As the original holder of this office was elected by the people, it necessarily follows that the unexpired term for his seat must be filled in the same manner.

I trust that this has been sufficient in answering the question which you posed. If we may be of any further assistance, please do not hesitate to call or write.

Very truly yours,

Timothy G. Cuinn
Senior Assistant Attorney General

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