

1974 WL 27699 (S.C.A.G.)

Office of the Attorney General

State of South Carolina

April 4, 1974

*1 Mr. Raymond M. Urquhart
County Executive
Courthouse Annex
Greenville, South Carolina 29601

Dear Mr. Urquhart:

Your letter of March 27, 1974, has apparently been lost in transit and has not been received by this Office; however, I have been informed of the contents of your letter by Ms. Louise Moore. You have asked whether or not the Greenville County Council can make the position of county attorney an appointive position.

South Carolina Code of Laws, 1962, § 14-2081 establishes the position of County Attorney for Greenville County and states that it is an elective position. Vacancies in public office may only be filled in the manner provided by law. 1962-63 Op. Atty. Gen., No. 1559, p. 129; 67 C.J.S. Officers § 52. Therefore, to change the office from an elective to an appointive position the General Assembly would be required to enact new legislation to change the statutory language of the law. Sincerely,

Treva Ashworth
Staff Attorney

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