

1974 WL 27447 (S.C.A.G.)

Office of the Attorney General

State of South Carolina

June 17, 1974

*1 The Honorable Richard Towill Hines
Member
House of Representatives
Box 6236
Spartanburg, South Carolina 29301

Dear Mr. Hines:

Thank you for your letter of June 13, 1974, concerning Commissioner George D. Hamilton of the South Carolina Commission on Human Affairs, who has filed as a candidate for the House of Representatives in District 120.

This question has arisen in the past in specific instances concerning other State employees who wish to become candidates for office. I have advised them that there is no general State law prohibiting this activity, although such statutes exist in a few instances. In the absence of any prohibiting legislation, which I personally feel should be enacted, there is no State statute applicable to the Human Affairs Commission.

I have further advised various inquirers that no individual can neglect his duties to campaign for office nor can it be done at State expense. Surveillance of this problem is vested in the responsible officials concerned.

Insofar as the application of the Hatch Act is concerned, this is a matter which is exclusively under the jurisdiction of the United States Civil Service Commission. I have discussed this matter with the General Counsel for that Commission in Washington and have been advised that they will issue opinions concerning the application or non-application of the Hatch Act in individual cases, based upon submitted facts. The name, address and telephone number of the official who should be contacted is set forth below

Office of General Counsel

Political Activity Unit

U. S. Civil Service Commission

1900 E. Street, N.W.

Washington, D. C. 20415

Telephone No. 800-922-3790

Daniel R. McLeod
Attorney General

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