

1973 S.C. Op. Atty. Gen. 15 (S.C.A.G.), 1973 S.C. Op. Atty. Gen. No. 3445, 1973 WL 20910

Office of the Attorney General

State of South Carolina

Opinion No. 3445

January 10, 1973

**\*1 Florence County magistrates have countywide jurisdiction except as to traffic cases in the respective territories set forth in Section 43–772 of the 1962 Code.**

Solicitor

Florence, S. C.

Reference is made to your inquiry of recent date at which time you inquired as to the jurisdiction of magistrates in Florence County and were advised substantially of the following.

This Office has in the past been of the Opinion that under Section 43–61 of the 1962 Code of Laws, magistrates are given countywide jurisdiction and have this jurisdiction except ‘[i]n counties where magistrates are given separate and exclusive territorial jurisdiction . . .’ (Section 43–62) Section 43–771 of the Code names the location and boundaries of the magisterial districts in Florence County, but does not apparently confine the jurisdiction of the magistrates to their respective territorial limits. Section 43–772, however, does confine Florence magistrates to their respective territorial limits, and provides exclusive jurisdiction, but only as to traffic cases.

Based upon the foregoing I am of the Opinion that Florence County magistrates have countywide jurisdiction except as to traffic cases where their jurisdiction is exclusive in the respective territories set forth in Section 43–772 of the 1962 Code.

James C. Harrison, Jr.

Assistant Attorney General

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