

1973 WL 27597 (S.C.A.G.)

Office of the Attorney General

State of South Carolina

February 27, 1973

***1 In Re: Boards, Procedure**

Honorable Samuel B. Mendenhall
Senator
State House
Columbia, South Carolina

Dear Senator Mendenhall:

You have inquired whether or not when a board takes favorable action on a matter of official business, and the board later wishes to take further action of the same matter, it is necessary that motion on the latter action be made by a member who voted favorably on such matter originally.

There is no such rule of law or procedure requiring the action about which you inquire. Any member of a board as presently constituted may move to consider a matter that is the business of the board. If the rule were as you set forth in your inquiry, the members voting favorably on the matter originally could bind the entire board forever; or, if no such original member remained on a present board, that board would be forever bound by the action of previous members. This result would be intolerable and unlawful under our Constitution and statutes.

Yours very truly,

Joseph C. Coleman
Deputy Attorney General

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