

1973 WL 26821 (S.C.A.G.)

Office of the Attorney General

State of South Carolina

July 20, 1973

***1 In Re: Dual Office Holding; Member of School Board and Member of County Welfare Board**

Honorable Charles Jones
Chairman
Board of Trustees
Ware Shoals School District
Ware Shoals, South Carolina

Dear Mr. Jones:

You have inquired whether a person may hold both subject positions at the same time.

Since both boards under consideration exercise to some extent part of the sovereign power of the State, and membership thereon is not mere employment, membership on each board constitutes an 'office' within the meaning of Article 2, Section 2, Constitution of South Carolina, which prohibits the holding by one person of two offices of honor or profit at the same time.

An officer has title to the latest office to which he was appointed or elected and for which he has qualified, and the first office is vacated upon qualification for the second. [McLure v. McElroy](#), 211 S.C. 106; [Walker v. Harris](#), 170 S.C. 242.

Yours very truly,

Joseph C. Coleman
Deputy Attorney General

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