

1973 WL 27603 (S.C.A.G.)

Office of the Attorney General

State of South Carolina

August 30, 1973

***1 In Re: R-206 of 1973 R-838 of 1966**

The Honorable Paul Sansbury
City Attorney
City of Darlington
Post Office Drawer 502
Darlington, South Carolina

Dear Mr. Sansbury:

R-206 was enacted by the General Assembly of South Carolina and approved by the Governor on the 29th day of March, 1973. It was forwarded to the Department of Justice in accordance with the requirements of the Civil Rights Voting Act of 1964 and by letter dated August 17, 1973, the Department of Justice expressed its disapproval of this Act.

R-838 of 1966 was the predecessor statute amended by R-206 and the 1966 statute related to the election of City Councilmen in the City of Darlington. This Act (R-838) was submitted to the Department of Justice in accordance with the Voting Rights Act on March 10, 1966, as shown by the records in this Office, and we have no record of any action thereon being undertaken by the Department of Justice. Under the Voting Rights Act, the Department of Justice must act upon such statutes within sixty days after their submission.

Therefore, Act No. R-206 of 1973 may not be implemented because of its disapproval by the Department of Justice under the provisions of the Voting Rights Act. The prior statute, R-838 of 1966, did not receive action by the Justice Department one way or the other within the time permitted it and therefore, in my opinion, is the statute relating to elections in the City of Darlington for City Council, which is the only one that can be followed.

With best wishes,
Cordially,

Daniel R. McLeod
Attorney General

1973 WL 27603 (S.C.A.G.)

End of Document

© 2021 Thomson Reuters. No claim to original U.S. Government Works.