

1973 WL 26939 (S.C.A.G.)

Office of the Attorney General

State of South Carolina

October 26, 1973

*1 Mr. Lonnie Dickert
Member
Lexington County Council
Eatesburg, South Carolina

Dear Mr. Dickert:

You have inquired whether or not you, as a Member of the Lexington County Council, may be appointed to the position of State Constable without pay.

I am enclosing a copy of a letter dated June 29, 1973, addressed to Mr. R. R. Brunson, Jr., of the Kershaw Town Council, by Attorney General Daniel F. McLeod, expressing the opinion that the office of State Constable is an office and therefore may not be held by a Member of a Town Council. The same reasoning would apply, of course, to a Member of a County Council.

For the foregoing reasons, it is the opinion of this Office that one person may not hold the position of County Council Member and State Constable without pay under the provisions of Article II, Section 2, Constitution of South Carolina, relating to dual officeholding.

Yours very truly,

Joseph C. Coleman
Deputy Attorney General

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