

1973 WL 26979 (S.C.A.G.)

Office of the Attorney General

State of South Carolina

November 21, 1973

*1 Mr. John L. Rushton
Chief
Ninety Six Police Department
Post Office Box 8
Ninety Six, South Carolina 29666

Dear Chief Rushton:

Thank you for your letter of November 19 reading as follows:

‘Would you please give me an opinion as to whether or not it is a violation of state law for an individual to hold a job as police dispatcher and to serve on Town Council, being compensated for both jobs?’

This situation probably does not present a dual officeholding problem, although if the police dispatcher is a commissioned police officer, there may be a prohibition because of the dual officeholding provision of the Constitution.

Whether the dispatcher is a police officer or not, he is still an employee of the Town, and, in my opinion, cannot serve as a member of the Town Council while he is an employee of the Town. This would result in the creation of a master-servant relationship which the law does not permit.

With best regards,
Cordially,

Daniel R. McLeod
Attorney General

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