

1972 WL 25243 (S.C.A.G.)

Office of the Attorney General

State of South Carolina

March 16, 1972

\*1 Mr. Paul K. Fuller  
Assistant Director  
South Carolina Recreation Commission  
2712 Middleburg Drive—Suite 208  
Columbia, South Carolina 29204

Dear Mr. Fuller:

Relative to your inquiry of March 13, 1972, this is to advise that it is this office's opinion that State law would not prohibit you from offering as a candidate for a municipal council and then serving if elected, because of your position with the State Recreation Commission.

While the State Constitution prohibits any individual from holding two offices of honor or profit at the same time (see Article XVII, Section 1A), a study of the statutory basis of the Commission (Sections 51–51 through 51–54, Code of Laws of South Carolina, 1962) convinces us that the position of Assistant Director is an employment and not an office. See [Sanders v. Belue](#), 78 S.C. 171, 58 S.E. 762.

Very truly yours,

Robert W. Brown  
Assistant Attorney General

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