

1972 WL 26139 (S.C.A.G.)

Office of the Attorney General

State of South Carolina

March 28, 1972

**\*1 Re: Florence County School District No. 2 Trustee Election—eligibility of individual to vote and serve as trusted**

The Honorable Thomas E. Smith, Jr.  
Member  
House of Representatives  
State House  
Columbia, South Carolina

Dear Mr. Smith:

This letter is in response to your inquiry on the above subject dated March 22, 1972.

While it is possible that the persons entitled to attend the annual citizens meeting in School District No. 2 in Florence County may not have to be qualified electors, it is certain that only those citizens who are qualified electors are entitled to vote for school trustees. See Section 21-2673 and 21-2672, Code of Laws of South Carolina, 1962, as amended by 1970 Act No. 1232 (56 Stats. 2631).

The individual in question, if your facts are correct, would not be a qualified elector for the reason that he is not presently registered in the precinct wherein he resides. Confer Article II, Sections 3 and 4, S. C. Constitution.

No person can be appointed or elected to any office in this State unless he is a qualified elector, Article XVII, Section 1; [McLure, et al. v. McElroy, et al.](#), 211 S.C. 106, 44 S.E. (2d) 101; and, thus, the individual in question being improperly registered and not a qualified elector would not be eligible to serve as a trustee, in our opinion.

Very truly yours,

Robert W. Brown  
Assistant Attorney General

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