

1980 WL 120889 (S.C.A.G.)

Office of the Attorney General

State of South Carolina

September 23, 1980

*1 Senator John E. Miles
602 W. Calhoun Street
Sumter, SC 29180

Dear Senator Miles:

In a letter to this Office, you requested an opinion concerning where the authority lies regarding the hiring and firing of Deputy Sheriffs in Sumter County.

In a recent decision of the South Carolina Supreme Court [Rhodes v. Smith, 254 S.E.2d 49 \(1979\)](#), the Court referencing [Section 23-13-10, Code of Laws of South Carolina, 1976](#), which authorizes a sheriff to appoint deputy sheriffs, stated that: ' . . . it is well settled in South Carolina that a deputy sheriff serves at the sheriff's 'pleasure'.'

As to the Appellant's allegation in [Rhodes](#) that [Section 8-17-110, et. seq., Code of Laws of South Carolina, 1976](#), which authorizes a county or municipal employee's grievance procedure, is a limitation on the referenced 'pleasure' of the sheriff, the Court disagreed. The Court stated that inasmuch as:

'(s)tatutes of a specific nature are not to be considered as repealed by a later general statute unless there is a direct reference to the former statute or the intent of the legislature to repeal the earlier statute is implicit. . . .', [254 S.E.2d at 50](#)

and [Sections 8-17-110, et. seq.](#) do not directly refer or imply that they supercede [Section 23-13-10, supra.](#), a deputy sheriff in this State serves at the 'pleasure' of the sheriff.

If there are any questions concerning the above, do not hesitate to contact me.

Sincerely,

Charles H. Richardson
Assistant Attorney General

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