

1979 WL 42932 (S.C.A.G.)

Office of the Attorney General

State of South Carolina

April 17, 1979

*1 Honorable Alex Harvin, III
Representative
District No. 66
State House
Columbia, SC 29202

Dear Representative Harvin:

Mr. McLeod has referred your recent letter to me for reply. You have inquired as to the legal procedures for converting School Districts 1 and 2 in Clarendon County from appointed school members to elected school members.

This procedure may be handled by a simple amendment to the existing law repealing the prior acts which made these Districts appointive and enacting new legislation requiring the members to be elected. The existing acts which make the school boards appointive do not require that the members be appointed from specified areas. [1971 (57) 532; 1975 (59) 311]. You may want to specify in the legislation residency requirements, the time of the election, and specifications concerning the terms of office. The old statutory provision found in the 1962 Code of Laws, Section 21-2093 sets out the conduct of elections, a requirement that the candidate receive a majority vote and a provision for run-off procedures for School District No. 3 in Clarendon County. You may want to pattern your legislation after this procedure to provide for uniform elections for the Clarendon County School District elections.

Very truly yours,

Treva G. Ashworth
Senior Assistant Attorney General

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