

1979 WL 43589 (S.C.A.G.)

Office of the Attorney General

State of South Carolina

September 14, 1979

*1 Ms. Barbara W. Moxon
Chairperson
South Carolina Commission on Women
Suite 307
2221 Devine Street
Columbia, South Carolina 29205

Dear Ms. Moxon:

You have recently contacted this Office for its opinion as to whether it would be illegal or unethical for the South Carolina Commission on Women to hire a member of the Commission. Please be informed that there is no statute that disqualifies a Commission member from employment by his or her Commission.

There are, however, ethical considerations which might cause a Commission member to forebear employment by the Commission. The State's ethics law, Section 8-13-10, et seq. provides:

No public official or public employee shall use his official position or office to obtain financial gain for himself. § 8-13-410.

Section 8-13-460 would prohibit among other things, a Commission member's voting on the question of her employment by the Commission.

Mr. Gary Baker, Executive Director of the State Ethics Commission, has informed me that a similar situation existed in Lexington County when a school board trustee wanted to be employed as a school principal. The trustee resigned from the board before seeking employment. The resignation route is, of course, a personal decision. To reiterate, there is no law which would prohibit the Commission's hiring Ms. Irene Neuffer.

Sincerely,

Barbara J. Hamilton
State Attorney

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