

1978 WL 34903 (S.C.A.G.)

Office of the Attorney General

State of South Carolina

May 8, 1978

*1 Honorable Cater Moss
Chief
Police Department
P. O. Box 417
Iva, SC 29655

Dear Chief Moss:

Mr. McLeod has referred your recent letter to me for reply. You have inquired as to the laws governing nepotism and have enclosed federal guidelines for an employment position.

If a person is paid by federal funds and is hired under the federal guidelines you have enclosed, these provisions would control. Any questions concerning them should be referred to the federal office handling this program.

However, if the position is not governed by federal rules, there is no State statute which would prohibit nepotism in this situation. [Section 8-5-10 of the 1976 South Carolina Code](#) of laws prohibits nepotism in State government. It has been the prior opinion of this Office that this statute does not apply to municipalities.

Very truly yours,

Treva G. Ashworth
Assistant Attorney General

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