

1978 WL 35015 (S.C.A.G.)
Office of the Attorney General
State of South Carolina
August 4, 1978

*1 Mr. Robert E. Leak
Director
S. C. State Development Board
Post Office Box 927
Columbia, South Carolina 29202

Dear Mr. Leak:

It is my understanding that Mr. Harry Peacock has been appointed and has qualified as a member of the State Development Board and that he is also serving as a member of the Town Council of the Town of Blackville.

Each of these positions constitutes an office within the meaning of the constitutional provision prohibiting dual officeholding and the same person may not therefore hold both positions at the same time. The effect of Mr. Peacock's assuming the position of member of the State Development Board created a vacancy in the previously held position of member of Town Council and it is appropriate that it now be filled in the manner provided by law. Mr. Peacock may therefore resign his office as member of Town Council or the Town Council may order an election to fill the vacancy created by his assumption of the later office of Development Board member.

Very truly yours,

Daniel R. MeLeod
Attorney General

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