

1976 WL 30828 (S.C.A.G.)

Office of the Attorney General

State of South Carolina

October 13, 1976

*1 Hon. O. Frank Thornton
Secretary of State
P. O. Box 11350
Columbia, South Carolina 29211

Dear Mr. Thornton:

You have requested advice from this Office as to what course of action the Office of the Secretary of State should take regarding the charters of those towns and municipalities which have failed to comply with the provisions of Act No. 283 of 1975, the 'home rule' legislation.

Article 8, Section 6 of the Act provides in part:

Within fifteen months of the effective date of this act, the governing body of each municipality in the State shall adopt by ordinance, . . . , one of the forms of municipal government provided for in Articles 4, 5 or 6 or they shall be deemed to have forfeited their articles of incorporation.

Accordingly, we advise you to notify each South Carolina town and municipality which failed to adopt by ordinance one of the three forms of municipal government by September 25, 1976, that its respective charter is deemed to have been forfeited as of that date and that it is to deliver immediately to your office its charter, if that document is in the possession of that town or municipality.

With kind regards,

Karen LeCraft Henderson
Assistant Attorney General

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