

1976 S.C. Op. Atty. Gen. 335 (S.C.A.G.), 1976 S.C. Op. Atty. Gen. No. 4475, 1976 WL 23092

Office of the Attorney General

State of South Carolina

Opinion No. 4475

October 5, 1976

\*1 State officers, elected on a State-wide basis, are not subject to the sick-leave statute.

Honorable Ralph Magoffin  
Deputy Commissioner  
South Carolina Department of Agriculture  
Columbia, South Carolina 29211

Dear Ralph:

In reply to your letter of September 10, 1976, concerning the application of the sick leave statute to elected officers, I advise that, in my opinion, those persons who are elected on a Statewide basis are not subject to the provisions of that law.

The basis for this conclusion is that the Constitution of this State provides for the sole method of removal of such officers, that being by way of impeachment in accordance with the provisions of Article XV of the Constitution. Any rules to the contrary are, in my opinion, invalid. A memorandum more extensively covering this point and prepared by Stephen T. Savitz of this Office is enclosed herewith, which the Commissioner may care to read.

With best wishes,  
Cordially,

Daniel R. McLeod  
Attorney General

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