

1975 WL 29233 (S.C.A.G.)

Office of the Attorney General

State of South Carolina

April 15, 1975

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205 North Irby Street  
Florence, South Carolina 29501

Dear Mr. Harwell:

We are in receipt of your letter of April 4, 1975, which did not reach my desk until April 14, 1975. This letter is to confirm my telephone conversation with your secretary as to the various election questions which you have raised.

Procedures governing petition candidates are found at Sections 23-400.15 through 23-400.16:1 of the South Carolina Code of Laws, as amended. Section 23-400.15 states that:

. . . nominees in a petition . . . shall be placed upon the appropriate official ballot for the election as candidates nominated by such petition . . . if the names of such nominees are certified . . . for . . . municipal elections, by at least twelve o'clock noon on the forty-fifth day prior to the date of the holding of such election . . .

Section 23-400.16 states that:

A candidate's nominating petition for any office in this State shall contain the signatures of at least five percent of the qualified registered electors of the geographical area of the office for which he offers as a candidate . . .

And this section states that the petition shall be filed

. . . with the clerk of a municipality in case of a municipal office . . .

Section 23-400.16:1 establishes the form of a nominating petition.

I hope this information is helpful and if I can be of further assistance, please inform me.

Very truly yours,

Treva G. Ashworth  
Assistant Attorney General

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