

1975 S.C. Op. Atty. Gen. 148 (S.C.A.G.), 1975 S.C. Op. Atty. Gen. No. 4070, 1975 WL 22367

Office of the Attorney General

State of South Carolina

Opinion No. 4070

August 4, 1975

*1 The Honorable James B. Van Osdell
Member
House of Representatives
Box 1211
Myrtle Beach, SC 29577

Dear Representative Van Osdell

You have requested an opinion from this office as to the validity of any action taken to omit certain language which will appear on ballots to be used in the August 26, 1975, referendum to determine a method of electing the county council members of Horry County, which language is expressly, although, apparently, mistakenly, contained in Act R433 of the 1975 General Assembly. Specifically, Section 4 of Act R433 contains the following provision:

The method of election determined by this Referendum shall not apply if the Board of Commissioners' form of government is adopted by the county.

The law is well established that effect must be given, if possible, to every word, clause and sentence of a statute.

. . . A statute should be construed so that effect is given to all its provisions, so that no part will be inoperative . . . 2A SUTHERLAND STATUTORY CONSTRUCTION Section 46.06 at 63 (4th Ed. 1972).

Accordingly, this office must take the position that the above quoted language of Section 4 of Act R433 of 1975 cannot validly be omitted, at least in the absence of a declaratory judgment rendered by a court of competent jurisdiction that also authorizes the striking of that language from the ballots. Cf., [McLendon v. City of Columbia](#), 101 SC 48, 85 SE 234 (1915); 2A SUTHERLAND STATUTORY CONSTRUCTION, Section 47.37 (4 Ed. 1972).

With kindest regards,

Karen LeCraft Henderson
Assistant Attorney General

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