

1975 WL 29195 (S.C.A.G.)

Office of the Attorney General

State of South Carolina

November 21, 1975

*1 Hon. W. R. Sauls
Mayor
Town of Hardeeville
Hardeeville, South Carolina 29927

Dear Mayor Sauls:

You have requested an opinion from this office as to whether or not a census other than the 1970 federal census may be used for the purpose of dividing a county into single-member districts pursuant to Act No. 283 of 1975, the 'home rule' legislation.

Section 14-3706 of the Act provides in part as follows:

Such [single-member] districts shall be reapportioned as to population within one year of the adoption by the State of each federal decennial census. . . . [Emphasis added.]

In view of the above-quoted language, the opinion of this office is that Act No. 283 of 1975 does not provide for districting a county according to a census other than the federal decennial census and, therefore, only the federal decennial census can be used.

With kind regards,

Karen LeCraft Henderson
Assistant Attorney General

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