

1974 S.C. Op. Atty. Gen. 102 (S.C.A.G.), 1974 S.C. Op. Atty. Gen. No. 3737, 1974 WL 22426

Office of the Attorney General

State of South Carolina

Opinion No. 3737

March 20, 1974

*1 There is no need for a Democratic County primary where all of the candidates are unopposed.

Representative
Office of Voter Registration
Bamberg, South Carolina

I am writing to confirm our telephone conversation of March 19, 1974, with regard to the necessity of holding a Democratic Party primary when all candidates are unopposed. As of the closing of the filing period for county offices for Bamberg County, none of the candidates for the various offices had opposition. Therefore, pursuant to § 21 of the Rules of the Democratic Party of South Carolina (1972):

After closing of entries if any candidate be unopposed, ... the county committees in the case of county officers shall declare such unopposed candidates as nominees, and the name of unopposed candidates shall not be placed upon the primary election ballots but shall be certified for general election ballots.

Since all candidates are unopposed, there are no names to be placed upon the ballot and all candidates may be certified for general election ballots. Therefore, there is no need for a Democratic primary to be held and one does not have to be held with respect to county wide offices.

M. Elizabeth Crum
Staff Attorney

1974 S.C. Op. Atty. Gen. 102 (S.C.A.G.), 1974 S.C. Op. Atty. Gen. No. 3737, 1974 WL 22426