

1974 WL 27470 (S.C.A.G.)  
Office of the Attorney General  
State of South Carolina  
October 4, 1974

\*1 Mrs. Jo Isom  
The Progressive Enterprises  
P. O. Box 2131  
North Myrtle Beach, South Carolina 29582

Dear Mrs. Isom:

Your letter addressed to the State Elections Commission has been forwarded to this office for reply. You have asked the following questions:

(1) Is it legal for a city official to hold the polls on Election Day?

I understand you to be referring to city officials being managers of elections. South Carolina Code of Laws, 1962, as amended, Section 23-400 establishes the procedure for appointing managers of elections. The Code does not prohibit a city official from being appointed; therefore, a city official could be a manager.

(2) Can a citizen living in another precinct hold polls here in Atlantic Beach, South Carolina?

An act, Act bearing ratification number 1282, requires managers to be residents and registered electors of the respective counties in which they are appointed to work or in adjoining counties.

(3) Is it legal to have an election in a municipal town without a registration book?

Section 23-400.51 of the Code states in part:

When any person shall present himself to vote, he shall produce his registration certificate and his name shall be checked on the margin of the page opposite thereto upon the registration books, or copy thereof, furnished by the board of registration hereunder, by one of the managers.

It is the general procedure for the registration board to provide a computer list of all qualified voters in each precinct and this list is known as the master list and is used in lieu of the actual registration book to check off the names of those persons offering to vote who are qualified electors of that precinct.

(4) If a person lives in this town for three (3) months and moves four (4) months before election time, can he come back and vote?

No. Each elector must vote in the precinct in which he resides.

(5) When was the last election held for mayor at Atlantic Beach?

This question could best be answered by city officials of Atlantic Beach.

Sincerely,

Treva Ashworth  
Assistant Attorney General

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