

1984 S.C. Op. Atty. Gen. 89 (S.C.A.G.), 1984 S.C. Op. Atty. Gen. No. 84-40, 1984 WL 159847

Office of the Attorney General

State of South Carolina

Opinion No. 84-40

April 11, 1984

*1 Edward K. Pritchard, Jr., Esquire
5 Cordes Street
Charleston, South Carolina 29401

Dear Mr. Pritchard:

You have asked for an opinion concerning your eligibility for reappointment to the South Carolina Insurance Commission when your term expires on June 30 of this year. You have advised us that you were appointed to the Commission in March of 1983, to fill an unexpired term ending on the date referenced above. Your specific question is whether the fact that you filled this unexpired term would make you ineligible for reappointment pursuant to § 38-3-20, CODE OF LAWS OF SOUTH CAROLINA (1976).

Section 38-3-20 states, *inter alia*, that no member of the Commission may serve more than one term. The question to be addressed is, therefore, whether the period from March of 1983 until June 20, 1984 constitutes a 'term.' This office has consistently taken the position in the past that it does not.

We have enclosed several opinions which dealt with the identical question. These opinions have been reviewed and we feel that their legal reasoning is still valid.

It is the opinion of this office that you have not served a full term within the meaning of § 38-3-20, Code and that you would be eligible for reappointment to the Insurance Commission. I trust this has sufficiently answered your question. If not, feel free to call.

Sincerely,

Clifford O. Koon, Jr.
Assistant Attorney General

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