

The Senate
State of South Carolina



March 21, 2025

Charleston County Council
Lonnie Hamilton, III, Public Services Building
045 Bridge View Drive
North Charleston, SC 29405

CC: The Honorable Henry McMaster, Governor; The Honorable Alan Wilson, Attorney General; The Honorable Chip Campsen, Chairman Charleston Legislative Delegation; Graham Horsman, Esq.

Dear members of Charleston County Council,

As you know, on February 13, 2025, the Office of the South Carolina Attorney General issued a legal opinion addressing the oath of office requirement for public officers, including members of the Charleston County Library Board of Trustees. That opinion sets forth existing law, stating clearly, “[M]embers of the Charleston County Library Board of Trustees are required to take the oath of office as directed in Article VI, section 4, and prescribed by Article VI, section 5 of the South Carolina Constitution.”¹

Furthermore, South Carolina law currently states, “It shall be unlawful for any person to assume the duties of any public office until he has taken the oath provided by the Constitution...”²

It is clear from this unambiguous language that no new legislation is necessary. Not only is the oath of office requirement codified in state statute, but it is derived directly from the South Carolina Constitution, our State’s governing document. Any new legislation will serve only to enact penalties for failure to comply with existing state law.

Your vote on March 20, 2025, to not require Charleston County public officers to take the Constitutionally mandated oath of office is contrary to existing law and purports to relieve county officials of their legal duty. Charleston County lacks the authority to unilaterally exempt its public officers from complying with South Carolina law.

As such, we, the undersigned members of the South Carolina Senate, now call upon you to enforce state law and require that your public officers take an oath of office in accordance with the opinion of the South Carolina Attorney General, South Carolina Statutes, and our State Constitution.

Further, it is concerning to learn that you have appointed individuals to serve in public office who categorically refuse to swear allegiance to our nation and publicly express disdain for our Constitution.

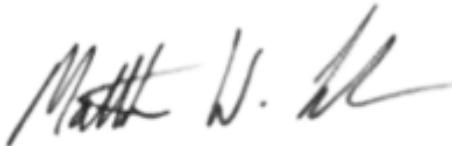
¹ *Op. S.C. Att'y. Gen.*, 2025 WL 581982 (Feb. 13, 2025)

² S.C. Code Ann. § 8-3-10.

Taking an oath to the Constitution should not be controversial. To the contrary, it is what unifies us as Americans and as South Carolinians. No individual who refuses to swear allegiance to our nation has any place holding a public office in the Great State of South Carolina.

We look forward to your swift action and prompt attention to this important matter.

Respectfully,

A handwritten signature in black ink, appearing to read "Matt Leber".

Senator Matt Leber
District 41

Senator Allen Blackmon
District 27

Senator JD Chaplin
District 29

Senator Tom Fernandez
District 39

Senator Larry Grooms
District 37

Senator Carlisle Kennedy
District 23

Senator Everett Stubbs
District 17

Senator Jeff Zell
District 36

Senator Richard Cash
District 3

Senator Jason Elliott
District 6

Senator Billy Garrett
District 10

Senator Josh Kimbrell
District 11

Senator Shane Martin
District 13

Senator Danny Verdin
District 9