

Executive Order No. 2017-04

WHEREAS, on February 16, 2017, Representative John Michael “Mick” Mulvaney resigned his office and seat in the United States House of Representatives representing the fifth congressional district of the State of South Carolina by way of the attached letter, effective immediately, to accept the appointment of the President, by and with the advice and consent of the United States Senate, to serve as Director of the Office of Management and Budget in the Executive Office of the President; and

WHEREAS, by virtue of the resignation of Representative Mulvaney, there exists a vacancy in such office and seat in the United States House of Representatives representing the fifth congressional district of the State of South Carolina for the duration of the unexpired term ending in January of 2019; and

WHEREAS, Article I, Section 2 of the United States Constitution provides that “[w]hen vacancies happen in the Representation of any State, the Executive Authority thereof shall issue Writs of Election to fill such Vacancies”; and

WHEREAS, the Governor of the State of South Carolina, as the Executive Authority of the State, shall declare such vacancy and issue a Writ of Election ordering a special election to fill the vacancy in the representation of the State of South Carolina in the United States House of Representatives; and

WHEREAS, section 7-13-190 of the South Carolina Code of Laws sets forth the process, procedure, and schedule for conducting a special election to fill the vacancy created and occurring by virtue of the resignation of Representative Mulvaney of the office and seat in the United States House of Representatives representing the fifth congressional district of the State of South Carolina.

NOW, THEREFORE, by virtue of the authority vested in me as Governor of the State of South Carolina and pursuant to the Constitution and Laws of this State and the powers conferred upon me by Article I, Section 2 of the United States Constitution, I hereby declare the office and seat in the United States House of Representatives representing the fifth congressional district of the State of South Carolina vacant and Order the State Election Commission to conduct a special election to fill such vacancy as provided by law and in accordance with the process, procedure, and schedule set forth in section 7-13-190 of the South Carolina Code of Laws. This Order and Writ of Election is effective immediately.

**GIVEN UNDER MY HAND AND THE
GREAT SEAL OF THE STATE OF SOUTH
CAROLINA, THIS SIXTEENTH DAY OF
FEBRUARY, 2017.**

**HENRY MCMASTER
Governor**