

**REPORT OF THE
GENERAL GOVERNMENT,
PERSONNEL & BENEFITS SUBCOMMITTEE**
(Anthony, Pitts, Herbkersman, Hayes & Whitmire - Staff Contact: Blythe Littlefield)

SENATE BILL 381

S. 381 -- Senators Shealy, Bright, Turner, Johnson, Young, Jackson, Grooms, Sabb, Thurmond, Massey, Allen, Sheheen, Davis, Hembree, L. Martin, Bryant, Peeler, Alexander, Lourie, Cromer, Setzler and Scott: A BILL TO AMEND SECTION 8-11-620(A)(1) OF THE 1976 CODE, RELATING TO LEAVE AND LUMP-SUM PAYMENTS UPON TERMINATION OF EMPLOYMENT, TO PROVIDE THAT ANY PUBLIC EMPLOYEE WHO IS TERMINATED WITHIN ONE YEAR OF FULL RETIREMENT SHALL HAVE FIVE DAYS AFTER TERMINATION TO PURCHASE THE REMAINING TIME.

Summary of Bill:

This bill provides that any public employee who is terminated within one year of retirement eligibility will have five business days after termination to purchase the remaining service time in order to attain retirement eligibiltiy. This applies to members of the South Carolina Retirement System and the South Carolina Police Officer Retirement System.

Introduced:

01/28/2015

Received by Ways and Means:

03/24/2015

Estimated Fiscal Impact:

The bill would have no expenditure impact to the General Fund, Federal Funds, and Other Funds.

Subcommittee Recommendation:

Adopted Favorable

Full Committee Recommendation:

Pending

Other Notes/Comments:



SOUTH CAROLINA REVENUE AND FISCAL AFFAIRS OFFICE
STATEMENT OF ESTIMATED FISCAL IMPACT
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Bill Number: S. 0381 As amended by the Senate on March 17, 2015
 Author: Shealy
 Requestor: House Ways and Means
 Date: April 14, 2015
 Subject: Leave and lump-sum payments
 RFA Analyst(s): Fulmer

Estimate of Fiscal Impact

	FY 2015-16	FY 2016-17
State Expenditure		
General Fund	\$0	N/A
Other and Federal	\$0	N/A
Full-Time Equivalent Position(s)	0.00	0.00
State Revenue		
General Fund	N/A	N/A
Other and Federal	N/A	N/A
Local Expenditure	N/A	N/A
Local Revenue	N/A	N/A

Fiscal Impact Summary

The bill, as amended, would have no expenditure impact to the General Fund, Federal Funds, and Other Funds.

Explanation of Fiscal Impact

Explanation of Amendment (March 17, 2015) - By Senate Finance Committee

State Expenditure

This bill would amend Section 8-11-620 to provide that any public employee who is terminated within one year of retirement eligibility will have five business days after termination to purchase the remaining service time in order to attain retirement eligibility. The amended bill further clarifies that this bill includes active members of the South Carolina Retirement System and South Carolina Police Officers Retirement System.

The Public Employee Benefits Authority indicates that this bill, as amended, would have no expenditure impact to the General Fund, Federal Funds, and Other Funds since members are required to purchase service time at actuarial cost.

State Revenue

N/A

Local Expenditure

N/A

Local Revenue

N/A

Explanation of Bill filed January 28, 2015

This bill would amend Section 8-11-620 to provide that any public employee who is terminated within one year of retirement eligibility will have five days after termination to purchase the remaining service time in order to attain retirement eligibility

The Public Employee Benefits Authority indicates that this bill would have no expenditure impact to the General Fund, Federal Funds, and Other Funds since members are required to purchase service time at actuarial cost.

State Revenue

N/A

Local Expenditure

N/A

Local Revenue

N/A



Frank A. Rainwater, Executive Director

South Carolina General Assembly
121st Session, 2015-2016

S. 381

STATUS INFORMATION

General Bill

Sponsors: Senators Shealy, Bright, Turner, Johnson, Young, Jackson, Grooms, Sabb, Thurmond, Massey, Allen, Sheheen, Davis, Hembree, L. Martin, Bryant, Peeler, Alexander, Lourie, Cromer, Setzler and Scott
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Introduced in the Senate on January 28, 2015

Introduced in the House on March 24, 2015

Last Amended on March 17, 2015

Currently residing in the House Committee on **Ways and Means**

Summary: Leave and lump-sum payments

HISTORY OF LEGISLATIVE ACTIONS

<u>Date</u>	<u>Body</u>	<u>Action Description with journal page number</u>
1/28/2015	Senate	Introduced and read first time (Senate Journal-page 22)
1/28/2015	Senate	Referred to Committee on Finance (Senate Journal-page 22)
3/11/2015	Senate	Committee report: Favorable with amendment Finance (Senate Journal-page 7)
3/17/2015	Senate	Committee Amendment Adopted (Senate Journal-page 27)
3/18/2015	Senate	Read second time (Senate Journal-page 21)
3/18/2015	Senate	Roll call Ayes-45 Nays-0 (Senate Journal-page 21)
3/19/2015	Senate	Read third time and sent to House (Senate Journal-page 7)
3/24/2015	House	Introduced and read first time (House Journal-page 15)
3/24/2015	House	Referred to Committee on Ways and Means (House Journal-page 15)

View the latest [legislative information](#) at the website

VERSIONS OF THIS BILL

[1/28/2015](#)

[3/11/2015](#)

[3/17/2015](#)

1 ~~Indicates Matter Stricken~~

2 Indicates New Matter

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4 COMMITTEE AMENDMENT ADOPTED

5 March 17, 2015

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S. 381

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9 Introduced by Senators Shealy, Bright, Turner, Johnson, Young,
10 Jackson, Grooms, Sabb, Thurmond, Massey, Allen, Sheheen, Davis,
11 Hembree, L. Martin, Bryant, Peeler, Alexander and Lourie

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13 S. Printed 3/17/15--S.

14 Read the first time January 28, 2015.

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A BILL

TO AMEND SECTION 8-11-620(A)(1) OF THE 1976 CODE, RELATING TO LEAVE AND LUMP-SUM PAYMENTS UPON TERMINATION OF EMPLOYMENT, TO PROVIDE THAT ANY PUBLIC EMPLOYEE WHO IS TERMINATED WITHIN ONE YEAR OF FULL RETIREMENT SHALL HAVE FIVE DAYS AFTER TERMINATION TO PURCHASE THE REMAINING TIME.

Amend Title To Conform

Be it enacted by the General Assembly of the State of South Carolina:

SECTION 1. Section 8-11-620(A)(1) of the 1976 Code is amended to read:

“Section 8-11-620. (A)(1) Upon termination from state employment, an employee may take both annual leave and a lump-sum payment for unused leave, but this combination may not exceed forty-five days in a calendar year except as provided in Section 8-11-610. If an employee dies, the employee’s legal representative is entitled to a lump-sum payment for the employee’s unused leave, not to exceed forty-five working days, except as provided in Section 8-11-610. An active member of the South Carolina Retirement System or South Carolina Police Officers Retirement System who is terminated within one year of retirement eligibility shall have five business days after the date of termination to purchase any service credit that the member is otherwise eligible to purchase as provided in Section 9-1-1140 or Section 9-11-50 in order to attain retirement eligibility.”

1 SECTION 2. Section 9-1-1140 of the 1976 Code, as last amended
2 by Act 278 of 2012, is further amended by adding a subsection at
3 the end to read:

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5 “(O)An active member who is terminated within one year of
6 retirement eligibility shall have five business days after the date of
7 termination to purchase any service credit that the member is
8 otherwise eligible to purchase under this section.”

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10 SECTION 3. Section 9-11-50 of the 1976 Code, as last amended
11 by Act 278 of 2012, is further amended by adding a subsection at
12 the end to read:

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14 “(O)An active member who is terminated within one year of
15 retirement eligibility shall have five business days after the date of
16 termination to purchase any service credit that the member is
17 otherwise eligible to purchase under this section.”

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19 SECTION 4. This act takes effect upon approval by the Governor.

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