**A** **BILL**

TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 2‑3‑21 SO AS TO PROVIDE THAT BEGINNING WITH THE GENERAL ASSEMBLY SCHEDULED TO CONVENE JANUARY 13, 2015, MEMBERS OF THE GENERAL ASSEMBLY MUST RECEIVE TOTAL ANNUAL COMPENSATION FOR THEIR LEGISLATIVE SERVICE FOR A REGULAR SESSION IN AN AMOUNT EQUAL TO FIFTY THOUSAND DOLLARS, TO PROVIDE THAT THIS COMPENSATION CONSISTS OF PER DIEM AND SALARY, TO PROVIDE THAT THE SALARY PORTION OF COMPENSATION THE MEMBER RECEIVES MUST BE REDUCED BY PER DIEM RECEIVED BY THE MEMBER FOR ATTENDANCE AT AN EXTRA SESSION AND PROVIDE THAT EXPENSES OR OTHER PER DIEM REIMBURSED OR OTHERWISE PAID TO MEMBERS ARE IN ADDITION TO COMPENSATION, AND TO REQUIRE THE GENERAL ASSEMBLY TO APPROPRIATE THE SALARY PORTION OF COMPENSATION IN THE ANNUAL GENERAL APPROPRIATIONS ACT; AND TO AMEND SECTION 9‑9‑10, AS AMENDED, RELATING TO DEFINITIONS FOR PURPOSES OF THE RETIREMENT SYSTEM FOR MEMBERS OF THE GENERAL ASSEMBLY (GARS), SO AS TO PROVIDE THAT “EARNABLE COMPENSATION” USED IN THE CALCULATION OF RETIREMENT BENEFITS UNDER GARS DOES NOT INCLUDE SALARY.

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

SECTION 1. Chapter 3, Title 2 of the 1976 Code is amended by adding:

“Section 2‑3‑21. (A) Beginning with the one‑hundred twenty‑first General Assembly scheduled to convene in regular session January 13, 2015, members of the General Assembly must receive annual compensation for their legislative service for each regular annual session an amount equal to fifty thousand dollars. This compensation consists of two components as follows:

(1) a per diem as described in Section 19, Article III of the Constitution of this State and as limited to forty days for any one session as provided in Section 9, Article III of the Constitution of this State; and

(2) an annual salary paid and deemed earned twice monthly on regular state employee pay dates equal to the difference between the total regular session per diem described in item (1) of this subsection and fifty thousand dollars. This salary component must be reduced by the amount of per diem received by the member for attendance at an extra session of the General Assembly.

(B) The compensation for services provided pursuant to subsection (A) of this section is in addition to any other per diem paid or expenses reimbursed or otherwise paid to members of the General Assembly on account of their legislative service.

(C) The salary payments described in subsection (A)(2) of this section must be appropriated by the General Assembly in the annual general appropriations act.”

SECTION 2. Section 9‑9‑10(13) of the 1976 Code, as last amended by Act 153 of 2005, is further amended to read:

“(13) ‘Earnable compensation’ means forty times the daily rate of remuneration, plus twelve thousand dollars, of a member of the General Assembly, as from time to time in effect. Earnable compensation does not include salary paid pursuant to Section 2‑3‑21(A)(2).”

SECTION 3. This act takes effect upon approval by the Governor.

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