**South Carolina General Assembly**

121st Session, 2015-2016

**A202, R217, S381**

**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

Passed by the General Assembly on May 26, 2016

Governor's Action: June 3, 2016, Signed

Summary: Leave and lump-sum payments

**HISTORY OF LEGISLATIVE ACTIONS**

Date Body Action Description with journal page number

1/28/2015 Senate Introduced and read first time ([Senate Journal‑page 22](file:///h:\SJ%20Archive\2015\01-28-15.docx))

1/28/2015 Senate Referred to Committee on **Finance** ([Senate Journal‑page 22](file:///h:\SJ%20Archive\2015\01-28-15.docx))

3/11/2015 Senate Committee report: Favorable with amendment **Finance** ([Senate Journal‑page 7](file:///h:\SJ%20Archive\2015\03-11-15.docx))

3/17/2015 Senate Committee Amendment Adopted ([Senate Journal‑page 27](file:///h:\SJ%20Archive\2015\03-17-15.docx))

3/18/2015 Senate Read second time ([Senate Journal‑page 21](file:///h:\SJ%20Archive\2015\03-18-15.docx))

3/18/2015 Senate Roll call Ayes‑45 Nays‑0 ([Senate Journal‑page 21](file:///h:\SJ%20Archive\2015\03-18-15.docx))

3/19/2015 Senate Read third time and sent to House ([Senate Journal‑page 7](file:///h:\SJ%20Archive\2015\03-19-15.docx))

3/24/2015 House Introduced and read first time ([House Journal‑page 15](file:///h:\HJ%20Archive\2015\03-24-15.docx))

3/24/2015 House Referred to Committee on **Ways and Means** ([House Journal‑page 15](file:///h:\HJ%20Archive\2015\03-24-15.docx))

5/19/2016 House Committee report: Favorable **Ways and Means** ([House Journal‑page 104](file:///h:\HJ%20Archive\2016\05-19-16.docx))

5/25/2016 House Read second time ([House Journal‑page 27](file:///h:\HJ%20Archive\2016\05-25-16.docx))

5/25/2016 House Roll call Yeas‑104 Nays‑2 ([House Journal‑page 27](file:///h:\HJ%20Archive\2016\05-25-16.docx))

5/26/2016 House Read third time and enrolled ([House Journal‑page 9](file:///h:\HJ%20Archive\2016\05-26-16.docx))

6/2/2016 Ratified R 217

6/3/2016 Signed By Governor

6/9/2016 Effective date 06/03/16

6/9/2016 Act No. 202

View the latest [legislative information](http://www.scstatehouse.gov/billsearch.php?billnumbers=381&session=121&summary=B) at the website

**VERSIONS OF THIS BILL**

[1/28/2015](file:///p:\pprever\2015-16\381_20150128.docx)

[3/11/2015](file:///p:\pprever\2015-16\381_20150311.docx)

[3/17/2015](file:///p:\pprever\2015-16\381_20150317.docx)

[5/19/2016](file:///p:\pprever\2015-16\381_20160519.docx)

(A202, R217, S381)

**AN ACT TO AMEND SECTION 8‑11‑620, AS AMENDED, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO LEAVE AND LUMP‑SUM PAYMENTS UPON TERMINATION OF EMPLOYMENT, SO AS TO PROVIDE THAT CERTAIN ACTIVE MEMBERS OF THE SOUTH CAROLINA RETIREMENT SYSTEM (SCRS) OR THE SOUTH CAROLINA POLICE OFFICERS RETIREMENT SYSTEM (SCPORS) WHO ARE TERMINATED WITHIN ONE YEAR OF RETIREMENT ELIGIBILITY SHALL HAVE FIVE DAYS AFTER TERMINATION TO PURCHASE SERVICE CREDIT; TO AMEND SECTION 9‑1‑1140, AS AMENDED, RELATING TO ESTABLISHING SERVICE CREDIT IN THE SCRS, SO AS TO PROVIDE THAT AN ACTIVE MEMBER WHO IS TERMINATED FROM EMPLOYMENT WITHIN ONE YEAR OF RETIREMENT ELIGIBILITY MAY PURCHASE SERVICE CREDIT; AND TO AMEND SECTION 9‑11‑50, AS AMENDED, RELATING TO ESTABLISHING SERVICE CREDIT IN THE SCPORS, SO AS TO PROVIDE THAT AN ACTIVE MEMBER WHO IS TERMINATED FROM EMPLOYMENT WITHIN ONE YEAR OF RETIREMENT ELIGIBILITY MAY PURCHASE SERVICE CREDIT.**

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

**Purchase of service credit following termination of employment within one year of retirement eligibility**

SECTION 1. Section 8‑11‑620(A)(1) of the 1976 Code, as last amended by Act 153 of 2005, is further amended to read:

“(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.”

**Purchase of service credit by an active member of the South Carolina Retirement System who is terminated from employment within one year of retirement eligibility**

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

“(O) An active member 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 under this section.”

**Purchase of service credit by an active member of the South Carolina Police Officers Retirement System who is terminated from employment within one year of retirement eligibility**

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

“(O) An active member 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 under this section.”

**Time effective**

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

Ratified the 2nd day of June, 2016.

Approved the 3rd day of June, 2016.

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