**South Carolina General Assembly**

123rd Session, 2019-2020

**H. 3185**

**STATUS INFORMATION**

General Bill

Sponsors: Reps. Pendarvis, S. Williams, Bryant, Trantham and Ridgeway

Document Path: l:\council\bills\rt\17466sa19.docx

Companion/Similar bill(s): 256, 3184

Introduced in the House on January 8, 2019

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

Summary: Retirement system, amount earned upon returning to employment

**HISTORY OF LEGISLATIVE ACTIONS**

Date Body Action Description with journal page number

12/18/2018 House Prefiled

12/18/2018 House Referred to Committee on **Ways and Means**

1/8/2019 House Introduced and read first time ([House Journal‑page 121](file:///h:\hj\20190108.docx))

1/8/2019 House Referred to Committee on **Ways and Means** ([House Journal‑page 121](file:///h:\hj\20190108.docx))

2/12/2019 House Member(s) request name added as sponsor: Bryant

2/21/2019 House Member(s) request name added as sponsor: Trantham

1/15/2020 House Member(s) request name added as sponsor: Ridgeway

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**VERSIONS OF THIS BILL**

[12/18/2018](file:///p:\pprever\2019-20\3185_20181218.docx)

**A** **BILL**

TO AMEND SECTION 9‑11‑90, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE AMOUNT OF COMPENSATION THAT MAY BE EARNED UPON RETURNING TO COVERED EMPLOYMENT UNDER THE POLICE OFFICER RETIREMENT SYSTEM, SO AS TO DELETE THE EARNINGS LIMITATION.

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

SECTION 1. Section 9‑11‑90(4)(a) of the 1976 Code is amended to read:

“(a)~~(i)~~ Notwithstanding the provisions of subsections (1) and (2) of this section, a retired member of the system who has been retired for at least ~~thirty~~ fifteen consecutive calendar days may be hired and return to employment covered by this system or any system provided in this title ~~and may earn up to ten thousand dollars~~ without affecting the monthly retirement allowance the member is receiving from this system. ~~If the retired member continues in service after having earned ten thousand dollars in a calendar year, the member’s retirement allowance must be discontinued during the member’s period of service in the remainder of the calendar year.~~ If the employment continues for at least forty‑eight consecutive months, the provisions of Section 9‑11‑90(3) apply. If a retired member of the system returns to employment covered by the South Carolina Police Officers Retirement System or any other system provided in this title sooner than ~~thirty~~ fifteen consecutive calendar days after retirement, the member’s retirement allowance is suspended while the member remains employed by a participating employer of any of these systems. If an employer fails to notify the system of the engagement of a retired member to perform services, the employer shall reimburse the system for all benefits wrongly paid to the retired member.

~~(ii)~~ ~~The earnings limitation imposed pursuant to this item does not apply if the member meets at least one of the following qualifications:~~

~~(A)~~ ~~the member retired before January 2, 2013;~~

~~(B)~~ ~~the member has attained the age of fifty‑seven years at retirement; or~~

~~(C)~~ ~~compensation received by the retired member from the covered employer is for service in a public office filled by the appointment of the Governor and with confirmation by the Senate, by appointment or election by the General Assembly, or by election of the qualified electors of the applicable jurisdiction.~~”

SECTION 2. This act takes effect upon approval by the Governor.

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