**South Carolina General Assembly**

124th Session, 2021-2022

**S. 164**

**STATUS INFORMATION**

General Bill

Sponsors: Senator Scott

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Introduced in the Senate on January 12, 2021

Currently residing in the Senate Committee on **Finance**

Summary: Annual leave for state employees

**HISTORY OF LEGISLATIVE ACTIONS**

Date Body Action Description with journal page number

12/9/2020 Senate Prefiled

12/9/2020 Senate Referred to Committee on **Finance**

1/12/2021 Senate Introduced and read first time ([Senate Journal‑page 199](file:///h:\sj\20210112.docx))

1/12/2021 Senate Referred to Committee on **Finance** ([Senate Journal‑page 199](file:///h:\sj\20210112.docx))

View the latest [legislative information](http://www.scstatehouse.gov/billsearch.php?billnumbers=164&session=124&summary=B) at the website

**VERSIONS OF THIS BILL**

[12/9/2020](file:///p:\pprever\2021-22\164_20201209.docx)

**A** **BILL**

TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 8‑11‑625 SO AS TO PROVIDE THAT STATE EMPLOYEES EARNING ANNUAL LEAVE AT THE RATE OF THIRTY DAYS A YEAR MUST RECEIVE A LUMP SUM PAYMENT FOR DAYS OF ANNUAL LEAVE FEWER THAN THIRTY DAYS NOT USED OR DONATED BY THE EMPLOYEE IN A CALENDAR YEAR, TO PROVIDE ELIGIBILITY REQUIREMENTS, AND TO PROVIDE THAT SUCH PAYMENTS ARE NOT CONSIDERED EARNABLE COMPENSATION IN THE CALCULATION OF RETIREMENT BENEFITS.

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

SECTION 1. Article 7, Chapter 11, Title 8 of the 1976 Code is amended by adding:

“Section 8‑11‑625. (A) As used in this section, an ‘eligible employee’ is a permanent fulltime employee of this State who for at least one calendar year has earned annual leave pursuant to Section 8‑11‑610 at the rate of thirty days a year and who has not received an annual leave lump sum payment pursuant to Section 8‑11‑620.

(B) An eligible employee whose combined total of annual leave used and donated pursuant to Article 9 of this chapter in a calendar year is less than thirty days, must be paid a lump sum for annual leave days fewer than thirty not used or donated in the calendar year, prorated for periods of less than one work day. The eligible employee’s annual leave balance must be reduced to reflect paid leave.

(C) Notwithstanding any other provision of law, annual leave payments made pursuant to this section are not considered earnable compensation for purposes of calculating retirement benefits paid pursuant to Chapters 1 and 11, Title 9 and not subject to retirement contributions.”

SECTION 2. This act takes effect January 1, 2022, and first applies for annual leave not used or donated in calendar years beginning after 2020.

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