**South Carolina General Assembly**

125th Session, 2023-2024

**H. 5230**

**STATUS INFORMATION**

General Bill

Sponsors: Rep. Wooten

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Introduced in the House on March 6, 2024

Introduced in the Senate on April 10, 2024

Last Amended on April 9, 2024

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

Summary: Retirement System for Judges and Solicitors

**HISTORY OF LEGISLATIVE ACTIONS**

 Date Body Action Description with journal page number

 3/6/2024 House Introduced and read first time (House Journal‑page 21)

 3/6/2024 House Referred to Committee on **Ways and Means** (House Journal‑page 21)

 3/27/2024 House Committee report: Favorable with amendment **Ways and Means** (House Journal‑page 8)

 4/9/2024 House Amended (House Journal‑page 52)

 4/9/2024 House Read second time (House Journal‑page 52)

 4/9/2024 House Roll call Yeas-103 Nays-1 (House Journal‑page 57)

 4/10/2024 House Read third time and sent to Senate (House Journal‑page 13)

 4/10/2024 Senate Introduced and read first time (Senate Journal‑page 5)

 4/10/2024 Senate Referred to Committee on **Finance** (Senate Journal‑page 5)

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**VERSIONS OF THIS BILL**

[03/06/2024](https://www.scstatehouse.gov/sess125_2023-2024/prever/5230_20240306.docx)

[03/27/2024](https://www.scstatehouse.gov/sess125_2023-2024/prever/5230_20240327.docx)

[03/27/2024-A](https://www.scstatehouse.gov/sess125_2023-2024/prever/5230_20240327a.docx)

[04/09/2024](https://www.scstatehouse.gov/sess125_2023-2024/prever/5230_20240409.docx)

[04/09/2024-A](https://www.scstatehouse.gov/sess125_2023-2024/prever/5230_20240409a.docx)

Indicates Matter Stricken

Indicates New Matter

Amended

April 09, 2024

H. 5230

Introduced by Rep. Wooten

S. Printed 04/09/24--H.

Read the first time March 06, 2024

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A bill

TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 9‑8‑10, RELATING TO DEFINITIONS PERTAINING TO THE RETIREMENT SYSTEM FOR JUDGES AND SOLICITORS, SO AS TO INCLUDE THE ATTORNEY GENERAL OF THIS STATE IN THE DEFINITION OF “SOLICITOR” AND TO MAKE THE NECESSARY PROVISIONS FOR THE ATTORNEY GENERAL TO BECOME A MEMBER OF THE SYSTEM; AND BY AMENDING SECTION 9‑8‑40, RELATING TO MEMBERSHIP IN THE SYSTEM, SO AS TO ALLOW THE ATTORNEY GENERAL SERVING ON JULY 1, 2024, TO ELECT TO BECOME A MEMBER.

 Amend Title To Conform

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

SECTION 1. Section 9‑8‑10(17) of the S.C. Code is amended to read:

 (17) “Solicitor” means the person holding office as described under Section 1‑7‑310 of the 1976 S.C. Code. Subject to the provisions of Section 9‑8‑40, beginning after the 2026 General Election in this State, “solicitor” also means the Attorney General of this State as the chief prosecuting officer of the State. For all purposes of this chapter including, but not limited to, employer and employee contributions, calculation of a retirement or other benefits, and adjustment of benefits paid to a retiree or beneficiary, wherever mention is made of the salary of a circuit solicitor, in the case of the Attorney General of this State, the salary referred to is the higher of the salary provided by law for the Attorney General of this State or a circuit solicitor of this State.

SECTION 2. Section 9‑8‑40(1) of the S.C. Code is amended to read:

 (1) All persons who are judges or solicitors on July 1, 1979, and who have not attained age seventy‑two shall become members of the system as of that date.

 (a) All administrative law judges on July 1, 2014, who have not retired may elect to become a member of the system. Administrative law judges making that election may transfer prior service into the system as provided in Section 9‑8‑50, and to the extent the service thus transferred occurred after the member took office as an administrative law judge, that service is deemed earned service in the system.

 (b) The Attorney General elected in the 2026 General Election in this State may elect to become a member of the system. If the Attorney General makes that election, he may transfer prior service into the system as provided in Section 9‑8‑50, and to the extent the service thus transferred occurred after he took office as the Attorney General of this State, that service is deemed earned service in the system.

 (c) All other persons become members of the system on taking office as judge, solicitor, or circuit public defender before attaining age seventy‑two.

SECTION 3. Section 9-8-10(16) of the S.C. Code is amended to read:

 (16) “Judge” means a justice of the Supreme Court or a judge of the court of appeals, circuit or family court of the State of South Carolina. Subject to the provisions of Section 9-8-40, “judge” also means an administrative law judge.

SECTION 4. Article 1, Chapter 11, Title 9 of the S.C. Code is amended by adding:

 Section 9-11-28. (A) After December 31, 2024, any person who is a full-time master-in-equity shall participate in the South Carolina Police Officers Retirement System for his service as a master-in-equity.

 (B) From July 1, 2024, to January 1, 2025, a full-time master-in-equity who elects to transfer credited service received under the South Carolina Retirement System to the South Carolina Police Officers Retirement System may do so upon payment of the accumulated employer and employee contributions and interest in the South Carolina Retirement System plus five percent of his annual salary in effect as of June 30, 2024, for each year of service prorated for periods of less than a year. After January 1, 2025, a master-in-equity may elect to transfer credited service received under the South Carolina Retirement System to the South Carolina Police Officers Retirement System as provided in Section 9-11-40(9).

SECTION 5. This act takes effect upon approval by the Governor.

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