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September 10, 2021

VIA EMAIL

Peggy Boykin, Director
South Carolina Public Employee Benefit Authority
202 Arbor Lake Drive
Columbia, South Carolina 29223
pboykin@peba.sc.gov

RE: Police Officer Retirement System

Dear Director Boykin:

The House Legislative Oversight Committee's Law Enforcement and Criminal Justice Subcommittee is currently performing an oversight study of the S.C. Department of Probation, Parole, and Pardon Services (PPP). The purpose of legislative oversight is to determine if agency laws and programs are being implemented and carried out in accordance with the intent of the General Assembly and whether they should be continued, curtailed, or even eliminated. Any House Member may file legislation to implement the Committee's recommendations.

The purpose of this letter is to seek input from your office about the police officer retirement system.

Police Officer Retirement System

1. Please provide the agency's interpretation of "requires at least one thousand six hundred hours a year of active duty" in S.C. Code Section 9-11-40(4) for purposes of calculating whether an officer is eligible for police officer retirement system.

(4) All persons who become employed as police officers by the State or other employer after the employer's date of admission to the system under the provisions of this section must become members, as a condition of their employment.

Notwithstanding the provisions of this subsection, no person shall become a member on or after July 1, 1963 unless his employer certifies to the system that his service as a police officer requires at least one thousand six hundred hours a year of active duty and that the person's salary for the service is at least two thousand dollars a year. If in any year after this certification the member does not render at least one thousand six hundred hours of active duty as a police officer, or if the member does not receive at least two thousand dollars in salary, his membership ceases and the provisions of Section 9-11-100 apply.

2. What does "active duty" mean (e.g., on the road every day, subject to being called on the road, etc.)?
3. How does the number of hours and active-duty requirement apply to officers who have moved to administrative positions?

If your office would like to provide input, please do so before Monday, September 27, 2021. Additionally, the subcommittee welcomes any other input or feedback your office would like to provide.

Thank you and your team for your service to the citizens of South Carolina.

Sincerely,



Chris Wooten
Subcommittee Chair

cc: The Honorable Wm. Weston J. Newton
Law Enforcement and Criminal Justice Subcommittee