

## Session 123 - (2019-2020)

### S 0921 General Bill, By McElveen

#### Summary: Probate judges

A BILL TO AMEND SECTION 9-8-40 OF THE 1976 CODE, RELATING TO MEMBERSHIP IN THE RETIREMENT SYSTEM, TO PROVIDE THAT JUDGES, SOLICITORS, AND CIRCUIT PUBLIC DEFENDERS BECOME MEMBERS OF THE SYSTEM UPON TAKING OFFICE BEFORE ATTAINING AGE SEVENTY-SEVEN; TO AMEND SECTION 9-8-60 OF THE 1976 CODE, RELATING TO RETIREMENT ALLOWANCES AND RELATED PROVISIONS, TO PROVIDE THAT A MEMBER MAY RETIRE UPON WRITTEN APPLICATION TO THE BOARD OF DIRECTORS OF THE SOUTH CAROLINA PUBLIC EMPLOYEE BENEFIT AUTHORITY NO LATER THAN THE END OF THE CALENDAR YEAR IN WHICH HE ATTAINS AGE SEVENTY-SEVEN; TO AMEND SECTION 9-8-260(A) AND (B) OF THE 1976 CODE, RELATING TO COMPLIANCE WITH SECTION 401(a)(9) OF THE INTERNAL REVENUE CODE, TO PROVIDE THAT THE TERM "REQUIRED BEGINNING DATE" MEANS APRIL FIRST OF THE CALENDAR YEAR AFTER A MEMBER ATTAINS SEVENTY-FIVE AND ONE-HALF YEARS OF AGE OR THE CALENDAR YEAR IN WHICH THE MEMBER RETIRES, WHICHEVER IS LATER, AND TO PROVIDE THAT PAYMENT OF RETIREMENT BENEFITS SHALL COMMENCE ON THE EFFECTIVE DATE OF RETIREMENT FOR A MEMBER WHO IS ELIGIBLE TO RECEIVE RETIREMENT BENEFITS, HAS NOT APPLIED FOR SUCH BENEFITS, AND CONTINUES MEMBERSHIP AFTER ATTAINING SEVENTY-FIVE AND ONE-HALF YEARS OF AGE; TO AMEND SECTION 22-1-25 OF THE 1976 CODE, RELATING TO THE MANDATORY RETIREMENT AGE OF A MAGISTRATE, TO INCREASE THE MANDATORY AGE OF RETIREMENT FROM SEVENTY-TWO TO SEVENTY-SEVEN YEARS OF AGE; TO AMEND ARTICLE 9, CHAPTER 23, TITLE 14 OF THE 1976 CODE, RELATING TO THE ESTABLISHMENT, JURISDICTION, AND OPERATION OF PROBATE COURTS, BY ADDING SECTION 14-23-1045, TO PROVIDE THAT IT SHALL BE MANDATORY FOR A JUDGE OF PROBATE OR ASSOCIATE JUDGE OF PROBATE TO RETIRE NO LATER THAN THE END OF THE FISCAL YEAR IN WHICH HE REACHES HIS SEVENTY-SEVENTH BIRTHDAY; AND TO AMEND ARTICLE 1, CHAPTER 25, TITLE 14 OF THE 1976 CODE, RELATING TO MUNICIPAL COURTS, BY ADDING SECTION 14-25-30, TO PROVIDE THAT IT SHALL BE MANDATORY FOR A MUNICIPAL COURT JUDGE TO RETIRE NO LATER THAN THE END OF THE FISCAL YEAR IN WHICH HE REACHES HIS SEVENTY-SEVENTH BIRTHDAY.

12/11/19 Senate Prefiled

12/11/19 Senate Referred to Committee on Finance

01/14/20 Senate Introduced and read first time (Senate Journal-page 40)

01/14/20 Senate Referred to Committee on Finance (Senate Journal-page 40)