~~Indicates Matter Stricken~~

Indicates New Matter

AS PASSED BY THE SENATE

June 3, 2010

**H. 3845**

Introduced by Reps. T.R. Young, Allen and Kelly

S. Printed 6/3/10--S.

Read the first time May 19, 2009.

**A** **BILL**

TO AMEND SECTION 22‑3‑1000, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE TIME FOR A MOTION FOR NEW TRIAL AND APPEAL IN MAGISTRATES COURT, SO AS TO INCREASE THE TIME PERIOD IN WHICH A MOTION FOR A NEW TRIAL MAY BE MADE FROM FIVE TO TEN DAYS.

Amend Title To Conform

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

SECTION 1.  Section 9-11-27 of the 1976 Code is amended by adding subsection (C) to read:

“(C) Should a county senatorial delegation certify and report to the System that a magistrate serving in the county has retired from the System without resigning from his seat and making the separation from service required by Section 9-11-60(1)(c), the magistrate’s retirement allowance shall cease, his retirement election shall be voided, and he shall again become an active member of the System.  Any magistrate whose retirement is voided pursuant to this section must repay all benefits received from the System and make a contribution to the System equal to the amount he would have contributed had he been an active member during the period of the voided retirement, if such contribution has not already been made.  The magistrate must also receive full credit for all service performed and compensation earned during the period of the voided retirement. A magistrate for whom a certification is made pursuant to this subsection is deemed to not have a break in service that would trigger increased educational requirements for the magistrate pursuant to Section 22‑1‑10.”

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

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