**South Carolina General Assembly**

119th Session, 2011-2012

**A154, R174, S872**

**STATUS INFORMATION**

General Bill

Sponsors: Senators Knotts, Rose, Reese, O'Dell, Verdin, Rankin, Bryant, Malloy, McConnell, Scott, Grooms, Fair, Campbell, Elliott, Setzler, McGill, Davis, Williams, Pinckney, Cromer, Hayes, Land, Jackson, Lourie, Nicholson, Matthews, L. Martin, Alexander and Ford

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Introduced in the Senate on May 4, 2011

Introduced in the House on February 29, 2012

Passed by the General Assembly on April 20, 2012

Governor's Action: May 14, 2012, Signed

Summary: Retirement of members of the S.C. National Guard

**HISTORY OF LEGISLATIVE ACTIONS**

 Date Body Action Description with journal page number

 5/4/2011 Senate Introduced and read first time ([Senate Journal‑page 3](file:///h%3A%5Csj%20archive%5C2011%5C05-04-11.docx))

 5/4/2011 Senate Referred to Committee on **General** ([Senate Journal‑page 3](file:///h%3A%5Csj%20archive%5C2011%5C05-04-11.docx))

 2/22/2012 Senate Committee report: Favorable **General** ([Senate Journal‑page 12](file:///h%3A%5Csj%20archive%5C2012%5C02-22-12.docx))

 2/23/2012 Senate Read second time ([Senate Journal‑page 31](file:///h%3A%5Csj%20archive%5C2012%5C02-23-12.docx))

 2/23/2012 Senate Roll call Ayes‑29 Nays‑0 ([Senate Journal‑page 31](file:///h%3A%5Csj%20archive%5C2012%5C02-23-12.docx))

 2/28/2012 Senate Read third time and sent to House ([Senate Journal‑page 21](file:///h%3A%5Csj%20archive%5C2012%5C02-28-12.docx))

 2/29/2012 House Introduced and read first time ([House Journal‑page 5](file:///h%3A%5Chj%20archive%5C2012%5C02-29-12.docx))

 2/29/2012 House Referred to Committee on **Medical, Military, Public and Municipal Affairs** ([House Journal‑page 5](file:///h%3A%5Chj%20archive%5C2012%5C02-29-12.docx))

 3/28/2012 House Committee report: Favorable **Medical, Military, Public and Municipal Affairs** ([House Journal‑page 7](file:///h%3A%5Chj%20archive%5C2012%5C03-28-12.docx))

 4/19/2012 House Read second time ([House Journal‑page 41](file:///h%3A%5Chj%20archive%5C2012%5C04-19-12.docx))

 4/19/2012 House Roll call Yeas‑95 Nays‑0 ([House Journal‑page 41](file:///h%3A%5Chj%20archive%5C2012%5C04-19-12.docx))

 4/19/2012 House Unanimous consent for third reading on next legislative day ([House Journal‑page 42](file:///h%3A%5Chj%20archive%5C2012%5C04-19-12.docx))

 4/20/2012 House Read third time and enrolled ([House Journal‑page 6](file:///h%3A%5Chj%20archive%5C2012%5C04-20-12.docx))

 5/8/2012 Ratified R 174

 5/14/2012 Signed By Governor

 5/17/2012 Effective date See Act for Effective Date

 5/21/2012 Act No. 154

**VERSIONS OF THIS BILL**

[5/4/2011](file:///p%3A%5Cpprever%5C2011-12%5C872_20110504.docx)

[2/22/2012](file:///p%3A%5Cpprever%5C2011-12%5C872_20120222.docx)

[3/28/2012](file:///p%3A%5Cpprever%5C2011-12%5C872_20120328.docx)

(A154, R174, S872)

**AN ACT TO AMEND SECTION 25‑1‑590, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE RETIREMENT OF MEMBERS OF THE SOUTH CAROLINA NATIONAL GUARD, SO AS TO EXTEND THE RETIREMENT HONORARY PROMOTION PROVISIONS TO HONORABLY DISCHARGED SERVICEMEMBERS WHO ARE REMOVED FROM THE NATIONAL GUARD DUE TO MEDICAL CONDITIONS, AND TO PROVIDE THAT THE EXPANDED HONORARY PROMOTION ELIGIBILITY DESCRIBED ABOVE IS TO BE APPLIED RETROACTIVELY.**

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

**Retirement of officers and enlisted personnel**

SECTION 1. Section 25‑1‑590 of the 1976 Code is amended to read:

 “Section 25‑1‑590. Officers and enlisted men of the National Guard of South Carolina must be retired by order of the commander‑in‑chief with a promotion of one grade, effective the date of retirement or medical discharge at the request of an officer or enlisted man upon completion of twenty or more years of honorable service in the National Guard of South Carolina, the Armed Forces of the United States, and reserve components of these branches, except that the last ten years of that service must have been in the South Carolina National Guard, or in the National Guard of the United States, and provided that the individual concerned was a member of the South Carolina National Guard at the time he was ordered to active duty in the National Guard of the United States status. The years of service requirements shall not apply to members of the National Guard of South Carolina who are medically discharged prior to the completion of at least twenty years of qualifying military service, so long as the individual’s discharge is characterized as honorable. A commissioned officer holding the grade of major general upon retirement must be retired in that grade; a warrant officer holding the grade of chief warrant officer upon retirement must be retired in that grade; and an enlisted man holding the highest authorized enlisted grade upon retirement must be retired in that grade.

 Retired officers and retired enlisted men shall draw no pay or allowances except when placed on duty. They must be subject to temporary detail by the commander‑in‑chief, and while on this duty, shall receive the same pay and allowances as officers and enlisted men of the same rank on the active list. On all occasions of duty or ceremony, retired officers and enlisted men shall take rank below officers and enlisted men of the same grade on the active list.”

**Time effective**

SECTION 2. This act takes effect upon approval by the Governor and must be applied retroactively.

Ratified the 8th day of May, 2012.

Approved the 14th day of May, 2012.

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