**A** **BILL**

TO AMEND SECTION 30‑4‑40 OF THE 1976 CODE, RELATING TO MATTERS EXEMPT FROM DISCLOSURE, TO PROVIDE FOR THE RELEASE OF CERTAIN BENEFIT INFORMATION FOR BENEFICIARIES OF STATE RETIREMENT SYSTEMS TO REQUESTS MADE UNDER THE FREEDOM OF INFORMATION ACT; AND TO AMEND SECTIONS 9‑1‑320, 9‑8‑35, 9‑9‑31, AND 9‑11‑35 TO PROVIDE CERTAIN BENEFIT INFORMATION AS AN EXEMPTION TO THE CONFIDENTIAL RECORDS CLASSIFICATION.

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

SECTION 1. Section 30‑4‑40(a)(6) of the 1976 Code is amended to read:

“(6)(A) All compensation paid by public bodies except as follows:

(~~A~~ i) For those persons receiving compensation of fifty thousand dollars or more annually, for all part‑time employees, for any other persons who are paid honoraria or other compensation for special appearances, performances, or the like, and for employees at the level of agency or department head, the exact compensation of each person or employee;

(~~B~~ ii) For classified and unclassified employees, including contract instructional employees, not subject to item (~~A~~ i) above who receive compensation between, but not including, thirty thousand dollars and fifty thousand dollars annually, the compensation level within a range of four thousand dollars, such ranges to commence at thirty thousand dollars and increase in increments of four thousand dollars;

(~~C~~ iii) For classified employees not subject to item (~~A~~ i) above who receive compensation of thirty thousand dollars or less annually, the salary schedule showing the compensation range for that classification including longevity steps, where applicable;

(~~D~~ iv) For unclassified employees, including contract instructional employees, not subject to item (~~A~~ i) above who receive compensation of thirty thousand dollars or less annually, the compensation level within a range of four thousand dollars, such ranges to commence at two thousand dollars and increase in increments of four thousand dollars.

(~~E~~ v) For purposes of this subsection (6), ‘agency head’ or ‘department head’ means any person who has authority and responsibility for any department of any institution, board, commission, council, division, bureau, center, school, hospital, or other facility that is a unit of a public body.

(B) All retirement benefits paid by the South Carolina Retirement Systems except as follows:

(i) For those persons receiving benefits of fifty thousand dollars or more annually or for those persons receiving benefits from the Retirement System for Members of the General Assembly, the exact benefit of each beneficiary;

(ii) For those persons not subject to item (i) above who receive benefits between, but not including, thirty thousand dollars and fifty thousand dollars annually, the benefit level within a range of four thousand dollars, such ranges to commence at thirty thousand dollars and increase in increments of four thousand dollars;

(iii) For those persons not subject to item (i) above who receive benefits of thirty thousand dollars or less annually, the amount of the benefit without disclosure of the name of the beneficiary;”

SECTION 2. Section 9‑1‑320 of the 1976 Code is amended to read:

“Section 9‑1‑320. All records of all active, retired, and inactive members maintained by the South Carolina Retirement Systems are classified as confidential records. These records are exempt from the disclosure requirements of Chapter 4 of Title 30, and shall not be disclosed to third parties, except where authorized by the member or where requested by state and federal authorities, and then only at the sole discretion of the director of the South Carolina Retirement Systems or as provided for by Section 30‑4‑40(a)(6).”

SECTION 3. Section 9‑8‑35 of the 1976 Code is amended to read:

“Section 9‑8‑35. All records of all active, retired, and inactive members maintained by the Retirement System for Judges and Solicitors are classified as confidential records. These records are exempt from the disclosure requirements of Chapter 4 of Title 30, and shall not be disclosed to third parties, except where authorized by the member or where requested by state and federal authorities, and then only at the sole discretion of the director of the South Carolina Retirement Systems or as provided for by Section 30‑4‑40(a)(6).”

SECTION 4. Section 9‑9‑31 of the 1976 Code is amended to read:

“Section 9‑9‑31. All records of all active, retired, and inactive members maintained by the Retirement System for Members of the General Assembly are classified as confidential records. These records are exempt from the disclosure requirements of Chapter 4 of Title 30, and shall not be disclosed to third parties, except where authorized by the member or where requested by state and federal authorities, and then only at the sole discretion of the director of the South Carolina Retirement Systems or as provided for by Section 30‑4‑40(a)(6).”

SECTION 5. Section 9‑11‑35 of the 1976 Code is amended to read:

“Section 9‑11‑35. All records of all active, retired, and inactive members maintained by the South Carolina Police Officers Retirement System are classified as confidential records. These records are exempt from the disclosure requirements of Chapter 4 of Title 30, and shall not be disclosed to third parties, except where authorized by the member or where requested by state and federal authorities, and then only at the sole discretion of the director of the South Carolina Retirement Systems or as provided for by Section 30‑4‑40(a)(6).”

SECTION 6. This act takes effect upon approval by the Governor.

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