**A** **BILL**

TO AMEND SECTION 9‑8‑10, AS AMENDED, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO DEFINITIONS PERTAINING TO THE RETIREMENT SYSTEM FOR JUDGES AND SOLICITORS, SO AS TO INCLUDE PROBATE JUDGES IN THE DEFINITION OF “JUDGE”; AND TO AMEND SECTION 9‑8‑40, AS AMENDED, RELATING TO MEMBERSHIP IN THE SYSTEM, SO AS TO ALLOW PROBATE JUDGES SERVING ON JULY 1, 2015, TO ELECT TO BECOME A MEMBER.

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

SECTION 1. Section 9‑8‑10(16) of the 1976 Code, as last amended by Act 263 of 2014, is further amended to read:

“(16) ‘Judge’ means a justice of the Supreme Court or a judge of the court of appeals, circuit or family court of the State of South Carolina. Subject to the provisions of Section 9‑8‑40, ‘judge’ also means an administrative law judge and a probate judge.”

SECTION 2. Section 9‑8‑40(1) of the 1976 Code, as last amended by Act 263 of 2014, is further amended to read:

“(1) All persons who are judges or solicitors on July 1, 1979, and who have not attained age seventy‑two shall become members of the system as of that date. All administrative law judges on July 1, 2014, and all probate judges on July 1, 2015, who have not retired may elect to become a member of the system. Administrative law judges and probate judges making that election may transfer prior service into the system as provided in Section 9‑8‑50, and to the extent the service thus transferred occurred after the member took office as an administrative law judge or probate judge, that service is deemed earned service in the system. All other persons become members of the system on taking office as judge, solicitor, or circuit public defender before attaining age seventy‑two.”

SECTION 3. This act takes effect upon approval by the Governor.

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