**South Carolina General Assembly**

123rd Session, 2019-2020

**H. 3108**

**STATUS INFORMATION**

General Bill

Sponsors: Reps. Ballentine, Magnuson, Morgan, Yow, Cogswell, Clary, Caskey, Rose, Collins, Norrell, Elliott, Mace, W. Newton, Young, Huggins, B. Cox, Calhoon, G.R. Smith, Thayer and Toole

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Introduced in the House on January 8, 2019

Currently residing in the House Committee on **Judiciary**

Summary: Public office

**HISTORY OF LEGISLATIVE ACTIONS**

Date Body Action Description with journal page number

12/18/2018 House Prefiled

12/18/2018 House Referred to Committee on **Judiciary**

1/8/2019 House Introduced and read first time ([House Journal‑page 90](file:///h:\hj\20190108.docx))

1/8/2019 House Referred to Committee on **Judiciary** ([House Journal‑page 90](file:///h:\hj\20190108.docx))

1/24/2019 House Member(s) request name added as sponsor: Cogswell

1/29/2019 House Member(s) request name added as sponsor: Clary, Caskey, Rose, Collins, Norrell, Elliott

2/5/2019 House Member(s) request name added as sponsor: Mace

2/7/2019 House Member(s) request name added as sponsor: W.Newton

2/12/2019 House Member(s) request name added as sponsor: Young

2/13/2019 House Member(s) request name added as sponsor: Huggins, B.Cox

2/14/2019 House Member(s) request name added as sponsor: Calhoon

2/19/2019 House Member(s) request name added as sponsor: G.R.Smith

2/21/2019 House Member(s) request name added as sponsor: Thayer

3/6/2019 House Member(s) request name added as sponsor: Toole

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**VERSIONS OF THIS BILL**

[12/18/2018](file:///p:\pprever\2019-20\3108_20181218.docx)

**A** **BILL**

TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 9‑1‑110 SO AS TO REQUIRE THAT BEFORE TAKING A PUBLIC OFFICE IN THIS STATE, A PERSON SHALL AGREE THAT IF THE PERSON IS CONVICTED OF, PLEADS GUILTY OR NOLO CONTENDERE TO CERTAIN CRIMES, AND WHICH STEMMED FROM ACTIVITIES THAT OCCURRED WHILE THE PERSON WAS IN OFFICE, THEN THE PERSON FORFEITS RETIREMENT BENEFITS ATTRIBUTABLE TO THE PERSON’S SERVICE IN OFFICE, AND TO SPECIFY THAT THE FORFEITURE PROVISIONS ONLY APPLY TO SERVICE FOR WHICH THE PERSON WAS ELECTED OR APPOINTED, OR REELECTED OR REAPPOINTED, AFTER JULY 1, 2019.

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

SECTION 1. Article 1, Chapter 1, Title 9 of the 1976 Code is amended by adding:

“Section 9‑1‑110. (A) Before taking a public office in this State, a person shall agree that if the person is convicted of, pleads guilty or nolo contendere to a crime that is a felony, a crime that involves moral turpitude, a crime that has a sentence of two or more years, or a crime that violates election laws, and which stemmed from activities that occurred while the person was in office, then the person forfeits retirement benefits attributable to the person’s service in office. If the provisions of this section are utilized, the applicable retirement system shall refund the person’s employee contributions attributable to the person’s service in office.

(B) This section only applies to service in public office for which the person was elected or appointed, or reelected or reappointed, after July 1, 2019.

(C) For purposes of this section:

(1) ‘Public office’ means any office of this State or political subdivision of this State, including school districts, for which the person was elected or appointed.

(2) ‘Retirement benefits’ means any benefit received by any retirement system administered pursuant to this title.”

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

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