**A** **BILL**

TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 9‑1‑665 SO AS TO PROVIDE THAT CERTAIN EMERGENCY MEDICAL SERVICES PERSONNEL MAY BE COVERED UNDER THE SOUTH CAROLINA POLICE OFFICERS RETIREMENT SYSTEM.

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

SECTION 1. Article 5, Chapter 1, Title 9 of the 1976 Code is amended by adding:

“Section 9‑1‑665. (A) Any county, municipality, or other political subdivision of the State and any agency or department thereof which has emergency medical services personnel (EMS) it employs covered under the South Carolina Retirement System may become an employer and have such EMS covered under the South Carolina Police Officers Retirement System by applying for admission to the system on July 1, 2022, or any subsequent July first. A majority of the persons then employed as EMS by the prospective employer shall elect irrevocably to become members of the South Carolina Police Officers Retirement System as of the requested date of admission.

(B) Any EMS who is a member of the South Carolina Retirement System and who becomes a member of the South Carolina Police Officers Retirement System, as provided in this section, continues as a member under the provisions of the South Carolina Retirement System so long as his membership in the South Carolina Police Officers Retirement System continues. Service credited to the member under the provisions of the South Carolina Police Officers Retirement System is considered for the purpose of determining eligibility for benefits but not the amount thereof under the South Carolina Retirement System. Any benefit under either one of these two correlated systems is computed on the basis of service and contributions credited under that system, but in determining the member’s average final compensation, his compensation received during credited service under both systems must be taken into account. Such benefits must be payable at such times and subject to such age and service conditions as provided under the respective systems; provided, however, a member may not be eligible to receive retirement payments so long as he is employed in a position covered by the South Carolina Retirement System or the South Carolina Police Officers Retirement System. Notwithstanding the above, the disability retirement benefit must be paid only from and based on the benefit provisions of the system to which the member is contributing at the time of disability and must be based on the total of his credited service under both systems. The amount of accumulated contributions of such disabled member which is credited to his account under the system to which he is not contributing at the time of disability, must be transferred to the system from which his disability retirement benefit must be paid.

(C) For the purposes of this section, ‘EMS’ means any person who receives his salary from an employer and who is required by the terms of his employment, either by election or appointment, to give his time to respond to emergency incidents. An EMS may not be eligible under this section unless his employer certifies to the system that his service as an EMS will require at least one thousand, six hundred hours each year of active duty and that his salary for such service will be at least two thousand dollars per year.”

SECTION 2. This act takes effect upon approval by the Governor and first applies on July 1, 2022.

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