**South Carolina General Assembly**

125th Session, 2023-2024

**S. 302**

**STATUS INFORMATION**

General Bill

Sponsors: Senators Shealy, Goldfinch, Davis, Grooms, Campsen and Williams

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Introduced in the Senate on January 10, 2023

Currently residing in the Senate Committee on **Finance**

Summary: Retirement system, judges and solicitors

**HISTORY OF LEGISLATIVE ACTIONS**

Date Body Action Description with journal page number

12/7/2022 Senate Prefiled

12/7/2022 Senate Referred to Committee on **Finance**

1/10/2023 Senate Introduced and read first time ([Senate Journal‑page 185](h:\sj\20230110.docx))

1/10/2023 Senate Referred to Committee on **Finance** ([Senate Journal‑page 185](h:\sj\20230110.docx))

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**VERSIONS OF THIS BILL**

[12/07/2022](https://www.scstatehouse.gov/sess125_2023-2024/prever/302_20221207.docx)

A bill

to amend the South Carolina Code of Laws by amending Section 9-8-10, relating to Definitions, so as to INCLUDE THE ATTORNEY GENERAL OF THIS STATE IN THE DEFINITION OF “SOLICITOR” AND TO MAKE THE NECESSARY PROVISIONS FOR THE ATTORNEY GENERAL TO BECOME A MEMBER OF THE SYSTEM; and by amending Section 9-8-40, relating to Membership in system; cessation of membership, so as to ALLOW THE ATTORNEY GENERAL SERVING ON JULY 1, 2023, 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(17) of the S.C. Code is amended to read:

(17) “Solicitor” means the person holding office as described under Section 1‑7‑310 of the 1976 Code. Subject to the provisions of Section 9‑8‑40, ‘solicitor’ also means the Attorney General of this State as the chief prosecuting officer of the State. For all purposes of this chapter including, but not limited to, employer and employee contributions, calculation of a retirement or other benefit, and adjustment of benefits paid to a retiree or beneficiary, wherever mention is made of the salary of a circuit solicitor, in the case of the Attorney General of this State, the salary referred to is the higher of the salary provided by law for the Attorney General of this State or a circuit solicitor of this State.

SECTION 2. Section 9‑8‑40(1) of the S.C. Code is 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.

(a) All administrative law judges on July 1, 2014, who have not retired may elect to become a member of the system. Administrative law 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, that service is deemed earned service in the system.

(b) The Attorney General of this State on July 1, 2023, may elect to become a member of the system. If the Attorney General makes that election, he may transfer prior service into the system as provided in Section 9‑8‑50, and to the extent the service thus transferred occurred after he took office as the Attorney General of this State, that service is deemed earned service in the system.

(c) 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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