**A** **BILL**

TO AMEND CHAPTER 13, TITLE 8 OF THE 1976 CODE, RELATING TO PUBLIC OFFICIALS, TO PROVIDE THAT ANY PUBLIC OFFICIAL WHO PLEADS GUILTY OR NOLO CONTENDERE TO A FELONY COMMITTED WHILE IN OFFICE SHALL BE REQUIRED TO SERVE A PERCENTAGE OF THE JAIL PENALTY, OR ONE YEAR, WHICHEVER IS GREATER, AND THIRTY DAYS OR A PERCENTAGE OF THE JAIL PENALTY, WHICHEVER IS GREATER, FOR A MISDEMEANOR, AND TO PROVIDE THAT A CONVICTION, GUILTY PLEA, OR NOLO CONTENDERE PLEA TO A FELONY COMMITTED WHILE SERVING AS A PUBLIC OFFICIAL SHALL RESULT IN THE FORFEITURE OF ALL RIGHTS AND BENEFITS UNDER AND MEMBERSHIP IN THE PUBLIC RETIREMENT SYSTEM IN WHICH HE PARTICIPATES, AND TO PROVIDE THAT A CONVICTION, GUILTY PLEA, OR NOLO CONTENDERE PLEA TO A MISDEMEANOR COMMITTED WHILE SERVING AS A PUBLIC OFFICIAL SHALL RESULT IN THE FORFEITURE FROM HIS STATE RETIREMENT ACCOUNT AN AMOUNT EQUAL TO THE HIGHEST, SINGLE YEAR CONTRIBUTION MADE BY THE PUBLIC OFFICIAL TO THE STATE RETIREMENT SYSTEM.

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

SECTION 1. Chapter 13, Title 8 of the 1976 Code is amended by adding:

“Section 8–13–160. (A) Any public official who pleads guilty or nolo contendere to a felony committed while in office shall be imprisoned for:

(1) a percentage of the minimum term of imprisonment required by law for conviction of the same crime and the percentage shall be determined by the presiding judge; or

(2) one year, whichever is greater.

(B) Any public official who pleads guilty or nolo contendere to a misdemeanor committed while in office shall be imprisoned for:

(1) a percentage of the minimum term of imprisonment required by law for conviction of the same crime and the percentage shall be determined by the presiding judge; or

(2) thirty days, whichever is greater.

(C)(1) A public official who is convicted, pleads guilty, or pleads nolo contendere to a felony committed while serving as a public official shall forfeit all rights and benefits under and membership in the public retirement system in which he participates, effective on the date of conviction or plea.

(2) If a public official is convicted, pleads guilty, or pleads nolo contendere to a misdemeanor committed while serving as a public official, the public official shall forfeit from his public retirement account an amount equal to the highest, single year contribution made by the public official to the state retirement system, effective on the date of conviction or plea.”

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

‑‑‑‑XX‑‑‑‑