**South Carolina General Assembly**

126th Session, 2025-2026

**S. 67**

**STATUS INFORMATION**

General Bill

Sponsors: Senator Hembree

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Prefiled in the Senate on December 11, 2024

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

Summary: Attorney General Retirement

**HISTORY OF LEGISLATIVE ACTIONS**

 Date Body Action Description with journal page number

 12/11/2024 Senate Prefiled

 12/11/2024 Senate Referred to Committee on **Judiciary**

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**VERSIONS OF THIS BILL**

[12/11/2024](https://www.scstatehouse.gov/sess126_2025-2026/prever/67_20241211.docx)

A bill

TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 9-8-10(17), 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(1), RELATING TO MEMBERSHIP IN SYSTEM AND CESSATION OF MEMBERSHIP, SO AS TO ALLOW THE ATTORNEY GENERAL SERVING ON JULY 1, 2024 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 South Carolina Code of Laws. 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.

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, 2024 may elect to become a member of the system. If the Attorney General makes that election, then 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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