

1981 WL 158197 (S.C.A.G.)

Office of the Attorney General

State of South Carolina

March 23, 1981

*1 Mr. Purvis W. Collins
South Carolina Retirement System
Post Office Box 11960, Capitol Station
Columbia, South Carolina 29211

Dear Mr. Collins:

The Deferred Compensation Commission recently requested an opinion on whether employees of the South Carolina Education Association are eligible to participate in the South Carolina Deferred Compensation Program.

To participate in the Deferred Compensation Program, a person must come within the definition of 'employee' set forth in [Section 8-23-60, of the 1976 Code of Laws of South Carolina](#), as amended. An 'employee' is defined therein as '. . . any person whether appointed or elected providing services for the State or any political subdivision thereof for which compensation is paid on a regular basis.' Further, the declared purpose of the Program is to enable employees of the State, its agencies and political subdivisions to participate in deferred compensation plans. Section 8-23-10.

As I understand the South Carolina Education Association, it is a private organization and not an agency or political subdivision of the State. Therefore, its employees would not come within the definition of 'employee' contained in [Section 8-23-60](#) so as to be eligible to participate in the Deferred Compensation Program.

Sincerely,

James M. Holly
Assistant Attorney General

1981 WL 158197 (S.C.A.G.)

End of Document

© 2015 Thomson Reuters. No claim to original U.S. Government Works.