

1977 S.C. Op. Atty. Gen. 319 (S.C.A.G.), 1977 S.C. Op. Atty. Gen. No. 77-389, 1977 WL 24726

Office of the Attorney General

State of South Carolina

Opinion No. 77-389

December 9, 1977

*1 Michael L. M. Jordan, Esquire
Harvey, Battey, Macloskie and Bethea
Post Office Box 5010
Hilton Head Island, SC 29928

Dear Mr. Jordan:

In response to your inquiry concerning the Sea Pines Public Service District, the situation appears to be analogous to that contemplated by Section 9-1-480, 1976 Code of Laws.

That section provides that persons who are already employed by an employer when it enters the Retirement System have six months in which to file a notice of election not to become members. If no such election is filed within that time, those persons automatically become members. In this case, the persons in question were employees of a private entity which was not covered by the System and then subsequently become employees of a member of the System. It is the opinion of this Office that this situation is sufficiently analogous to the situation set forth in Section 9-1-480 to permit notices of non-election to be filed.

Please let me know if I can be of any further help.

Sincerely yours,

Kenneth P. Woodington
Assistant Attorney General

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