

1981 WL 158175 (S.C.A.G.)

Office of the Attorney General

State of South Carolina

March 10, 1981

*1 Honorable Michael S. Gullledge
333D Solomon Blatt Building
Columbia, South Carolina 29201

Dear Representative Gullledge:

Your letter of February 20, 1981, has been referred to me for reply. You have requested an opinion as to whether a state employee can be forced to retire once he has reached a certain age. On this point the law is very clear. Section 9-1-1530, as amended, provides that 'any employee or teacher in service who has attained the age of seventy years shall be retired forthwith . . .'. The same statute provides that by permission of the Budget and Control Board and the employer, the employee may continue to the end of the fiscal year in which his seventy-second birthday occurs.

If you have any specific questions concerning this provision, I will be pleased to discuss them with you.

Sincerely yours,

Kenneth P. Woodington
Assistant Attorney General

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