

1982 WL 189371 (S.C.A.G.)

Office of the Attorney General

State of South Carolina

July 20, 1982

*1 Edwin P. Rogers
Executive Director
Pee Dee Regional Council of Governments
Post Office Box 5719
Florence, South Carolina 29502

Dear Mr. Rogers:

You have requested an opinion as to certain matters regarding the effect of federal age discrimination laws on [§ 9-1-1530 of the South Carolina Code](#), which involves mandatory retirement at age 72.

The Federal Age Discrimination in Employment Act, as amended, provides only that no age discrimination shall occur against persons who are between 40 and 70 years of age. In other words, our State statute actually allows two more years of employment than is required by the Federal statute.

Since the Federal act thus has no effect on State practice, it is unnecessary to address the remaining questions in your letter.

Sincerely yours,

Kenneth P. Woodington
Senior Assistant Attorney General

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