

1982 WL 189457 (S.C.A.G.)

Office of the Attorney General

State of South Carolina

October 8, 1982

*1 Purvis W. Collins
Chairman
S.C. Deferred Compensation Commission
Sol Blatt Building
Second Floor
Columbia, South Carolina 29201

Dear Mr. Collins:

You have asked the opinion of this office on whether the employees of the South Carolina Commission on Continuing Lawyer Competence may participate in the Deferred Compensation Program established by §§ 8-23-10 to 8-23-100, [Code of Laws of South Carolina, 1981 Cumulative Supplement](#). This Program, pursuant to those statutes, is available to the employees of each agency, department, board, commission, institution and political subdivision of the State.

The Commission on Continuing Legal Competence is provided for by rules promulgated by the Supreme Court pursuant to the powers granted it by [Article V, Section 4 of the South Carolina Constitution](#). See, Code of Laws of South Carolina, Volume 22, 1981 Cumulative Supplement, Rules of Supreme Court, Part F., Rules on Lawyer Competence. These rules state that the members of the Commission are appointed by the Supreme Court for specified terms. The rules also set forth the specific duties and responsibilities of the Commission and its employees. These factors constitute the Commission on Continuing Lawyer Competence a commission of the State within the ordinary meaning of that term as used in the statutes governing the Deferred Compensation Program. See, [City of Louisville Municipal Housing Commission v. Public Housing Administration, 261 S.W.2d 286 \(Kentucky, 1953\)](#). Therefore, it is the opinion of this office that employees, as defined by § 8-23-60,¹, of that Commission may participate in the Deferred Compensation Program.

Sincerely,

James M. Holly
Assistant Attorney General

Footnotes

- ¹ Herewith is a copy of an August 20, 1980, opinion of this office which may assist the Commission in applying the definition of employees in § 8-23-60 to its personnel.

1982 WL 189457 (S.C.A.G.)

End of Document

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