

1980 WL 121255 (S.C.A.G.)

Office of the Attorney General

State of South Carolina

June 4, 1980

**\*1 Re: Ann Gell Hamiter**

Senator John Lindsay  
L. Marion Gressette Building  
Columbia, South Carolina 29201

Dear Senator Lindsay:

Mrs. Hamiter has requested that this Office inform you of its opinion concerning the status of her annual and sick leave benefits. Specifically she would like to know if it is possible for her to transfer her accrued benefits to a permanent position which will become funded at the beginning of the 1980-81 fiscal year.

[Section 8-11-260\(1\), 1976 Code of Laws of South Carolina](#), exempts employees of the General Assembly from the coverage of the State Personnel Administration Act. The Budget and Control Board's State Personnel Rules Manual, developed pursuant to [§ 8-11-230, 1976 Code of Laws of South Carolina](#), normally is not applicable to employees of the General Assembly. Each department of the General Assembly is free to develop its own policy regarding leave benefits. Thus, the transferability of accrued leave benefits is a policy matter that Mrs. Hamiter's employers must decide.

Sincerely,

Barbara J. Hamilton  
State Attorney

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