

1979 WL 43541 (S.C.A.G.)

Office of the Attorney General

State of South Carolina

August 23, 1979

\*1 Guerard and Applegate, P.A.  
Attorneys and Counsellors at Law  
125 Church Street  
Charleston, South Carolina 29401

Gentlemen:

You have requested an opinion concerning use of the funds of Cooper River Park and Playground Commission to pay a portion of an employee's contribution to establish creditable service. This payment would be in addition to the employer's matching payment.

I have reviewed the recent opinion of this Office issued July 19, 1979, which concludes that a school district lacks authority to pay a bonus to retiring employees after services have been rendered. The rationale of that opinion is that such payments would violate [Article III, § 30 of the South Carolina Constitution](#), which prohibits the payment of extra compensation to public employees after service has been rendered. This rationale appears to be precisely applicable to the present situation as well, and it is therefore the opinion of this Office that an employer may not pay part of the employee's contribution to establish creditable service with the Retirement System.

Sincerely yours,

Kenneth P. Woodington  
Assistant Attorney General

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