

1978 WL 35249 (S.C.A.G.)

Office of the Attorney General

State of South Carolina

November 30, 1978

*1 Eugene C. Garvin
Director
Budget Development
State Auditor's Office
Wade Hampton Office Building
Room 205
Columbia, South Carolina 29211

Dear Mr. Garvin:

Mr. Sloan has requested that I respond to an oral request by you for an opinion concerning the retirement status of Solicitor Kenneth Summerford. The Retirement System for solicitors is governed by Act No. 119 of 1977. Section 3 of that Act provides as follows:

Section 3. Any solicitor may retire from office when he:

- (1) has served as solicitor for a period of 25 years; or
- (2) has served as solicitor for a period of 20 years and reached the age of 65 years; or
- (3) has served as solicitor for a period of 15 years and reached the age of 70 years; or
- (4) without regard to the age of such solicitor, has served for 7 years as solicitor and while still in service thereon shall become totally and permanently disabled to carry on the duties of his office.

Solicitor Summerford has been solicitor for 12 years, and did not retire under disability. It is thus apparent that he does not come within any of the above-listed options under the Retirement System for solicitors.

Sincerely yours,

Kenneth P. Woodington
Assistant Attorney General

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