

1975 WL 29406 (S.C.A.G.)

Office of the Attorney General

State of South Carolina

January 22, 1975

**\*1 Re: G. W. Fennell—Retirement No. 690**

Honorable James P. Harrelson  
Senator  
District No. 15  
Drawer 732  
Walterboro, South Carolina 29488

Dear Senator Harrelson:

Mr. Purvis Collins of the Retirement System has asked that I respond to your inquiry regarding Mr. G. W. Fennell.

It is my understanding that Mr. Fennell would now like to change his option under Code Section 61-111. It is further my understanding that Mr. Fennell has already received at least his first payment on account of a retirement allowance due. Section 61-111 specifically states that an election as to one of the options provided may be made until the first payment on account of a retirement allowance becomes normally due. Once a payment is due and made, the above section does not allow the Retirement System to make any changes.

It is the opinion of this Office that the Retirement System has no administrative authority to enable Mr. Fennell to now elect an option under Section 61-111.

Sincerely,

A. Camden Lewis  
Assistant Attorney General

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