

1975 WL 28900 (S.C.A.G.)

Office of the Attorney General

State of South Carolina

June 6, 1975

***1 In Re: Retirement Effective at the End of the Fiscal Year, Rate at Which Terminal Leave Should be Paid**

Honorable J. Henry Mills
Comptroller General
State of South Carolina
Post Office Box 11228
Columbia, South Carolina 29211

Dear Mr. Mills:

You have inquired as to the rate at which lump sum terminal leave should be paid to employees retiring at the end of the fiscal year 1974-75, in view of the fact that the first payroll period for the next fiscal year begins June 27, rather than July 1, and the 'Brown' salary increases are effective for such pay period.

For most purposes, the fiscal year begins on July 1 and ends on June 30, but it appears that the General Assembly has made special provision for salaries of State employees paid on a weekly or bi-weekly basis whereby the fiscal year 1975-76 begins on June 27, 1975 [1975-76 Gen. App. Bill, Part I, Section 13]:

'Provided, Further, That the amount appropriated under Item VI of this Section for 'Increasing Compensation of State Employees' shall be allocated among State Agencies by the Budget and Control Board to cover employees' compensation increases effective with the payroll period beginning June 27, 1975 as follows:'

Terminal leave may be taken by a retiring employee in a lump sum [Act 997, 1974, Section 3].

In view of the foregoing, it is the opinion of this Office that an employee paid on a weekly or bi-weekly basis retiring at the end of the fiscal year 1974-75, would be terminated at the end of the business day June 26, 1975, and that terminal leave should be paid at the salary rate effective that day.

Yours very truly,

Joseph C. Coleman
Deputy Attorney General

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