

1974 WL 27880 (S.C.A.G.)

Office of the Attorney General

State of South Carolina

July 25, 1974

\*1 Col. Clifton B. Wingate  
Army Executive Assistant  
Military Department  
State of South Carolina  
Office of the Adjutant General  
1225 Bluff Road  
Columbia, South Carolina 29201

Dear Col. Wingate:

In answer to your inquiry of June 20, 1974, it is clear that the Legislature's intention under the South Carolina National Guard Pension Act was to insert a bar against a guardsman who is receiving retirement pay from a regular component of the armed forces. It is clear that the Legislature intended to prevent persons from receiving double retirement benefits for duty in the armed forces.

It is the opinion of this office that an individual receiving full retirement benefits from regular component of the armed forces of the United States is not, under any circumstances, eligible for benefits under the South Carolina Pension Act.

Sincerely yours,

A. Camden Lewis  
Assistant Attorney General

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