



Past Pension Reform Legislation

Pension reform

The S.C. General Assembly passed two sets of pension legislation in previous years.

Benefit reform

Passed in 2012 and also known as Act 278.

Funding reform

Passed in 2017 and also known as the Retirement System Funding and Administration Act of 2017.

Act 278

Act 278 of 2012 created a new tier of membership, Class Three, in the South Carolina Retirement System (SCRS) and Police Officers Retirement System (PORS) with membership dates effective on or after July 1, 2012. The act established the following for Class Three members:

- Increased service requirements for retirement with full benefits.
 - Rule of 90 for SCRS;
 - 27 years of service for PORS; and
 - Age-based retirement requirements were unchanged.
- Increased the vesting period from five to eight years.
- Changed average final compensation calculations from 12 consecutive quarters of highest earnable compensation to 20 consecutive quarters.
- Removed credit for unused annual and sick leave at retirement from benefit calculations.

As a result of Act 278, there were changes affecting Class Two and Class Three members:

- The TERI program closed, effective June 30, 2018.
- Changed cost of service purchase to be actuarially neutral.
- Excluded pay for non-mandatory overtime from SCRS earnable compensation.
- Changed eligibility for SCRS disability retirement.
- Eliminated interest on inactive accounts.

Changes affecting retirees as a result of the act included:

- Limited annual benefit adjustment, formerly referred to as a cost of living adjustment (COLA), to 1% up to a maximum of \$500 annually.
- Added a \$10,000 earnings limit for members who retired after January 1, 2013, and return to work for a covered employer, unless the member was older than 62 (SCRS) or 57 (PORS) at retirement. Other exceptions to the earnings limitation include compensation from certain elected and appointed offices and for certain critical needs positions in public schools.

General Assembly Retirement System

Closed the General Assembly Retirement System (GARS) to newly elected officials after the general election of 2012; new members may join SCRS or the State Optional Retirement Program (State ORP).

Retirement System Funding and Administration Act of 2017

Legislation did not change the benefits provided to members of the retirement systems as a result of the Retirement System Funding and Administration Act of 2017. Instead, the goal was to pay down the unfunded liability faster by:

- Reducing the funding period;
- Increasing contribution rates; and
- Decreasing negative amortization.

The act decreased the assumed rate of return from 7.5% to 7.25%, effective July 1, 2017. This rate remained in effect through July 1, 2021, at which time a new rate was set by the General Assembly.¹ PEBA provides a proposed rate based on a recommendation from the systems' actuary and in consultation with the Retirement System Investment Commission (RSIC).

The act also changed employee and employer contribution rates, effective July 1, 2017:

- The SCRS employee rate was increased to and capped at 9%.
- The PORS employee rate was increased to and capped at 9.75%.
- Employer rates for SCRS and PORS increased by 2%. A schedule of rates included additional 1% increases annually through July 1, 2022.² The General Assembly provided funding in fiscal years 2018, 2019, 2020, 2021, 2022, 2023, 2024 and 2025 for credits toward employer contributions for most employers participating in SCRS and PORS.

The Retirement System Funding and Administration Act of 2017 also gradually reduces the maximum funding period from 30 years to 20 years by July 1, 2027. The schedule reflects a one-year reduction in the funding period for each of the next 10 years, but it also allows for future unforeseen investment losses.

The legislation took several important steps to increase funding to the Retirement Systems, which improves the financial condition of the plans quicker and incorporates a cushion for possible future adverse investment experience.

¹Effective July 1, 2021, the assumed rate of return decreased from 7.25% to 7%.

²The General Assembly included a provision in its continuing resolution (Act 135) suspending the statutory employer contribution rate increase for fiscal year 2021. The final 1% scheduled increase went into effect July 1, 2023.

Effects of 2017 legislation on SCRS

While the Unfunded Actuarial Accrued Liability (UAAL) has continued to rise, the additional contributions required by the 2017 legislation have reduced the funding period. If actuarial assumptions are met, the funding period is expected to shorten over time. The actual reduction in the amortization period will depend upon emerging experience, including investment experience.

