GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1991

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HOUSE BILL 1273

Short Title: Gen. Assembly Retire. Credit.   (Public)

Sponsors: Representative Anderson.

Referred to: Pensions and Retirement.

May 10, 1991

1   A BILL TO BE ENTITLED
2 AN ACT TO ALLOW EMPLOYEES OF THE GENERAL ASSEMBLY TO
3   RECEIVE RETIREMENT CREDIT FOR FULL-TIME TEMPORARY SERVICE
4   WITH OTHER STATE AGENCIES.
5 The General Assembly of North Carolina enacts:
6   Section 1. G.S. 135-4(e) reads as rewritten:
7 "(e)   Creditable service at retirement on which the retirement allowance of a
8 member shall be based shall consist of the membership service rendered by him since he
9 last became a member, and also if he has a prior service certificate which is in full force
10 and effect, the amount of service certified on his prior service certificate; and if he has
11 sick leave standing to his credit upon retirement on or after July 1, 1971, one month of
12 credit for each 20 days or portion thereof not to exceed 12 days of credit for each year
13 of membership service or fraction thereof, but sick leave shall not be counted in
14 computing creditable service for the purpose of determining eligibility for disability
15 retirement or for a vested deferred allowance.
16   On and after July 1, 1971, a member whose account was closed on account of
17 absence from service under the provisions of G.S. 135-3(3) and who subsequently
18 returns to service for a period of five years, may thereafter repay in a lump sum the
19 amount withdrawn plus regular interest thereon from the date of withdrawal through the
20 year of repayment and thereby increase his creditable service by the amount of
21 creditable service lost when his account was closed.
22   On and after July 1, 1973, a member whose account in the North Carolina Local
23 Governmental Employees' Retirement System was closed on account of absence from
24 service under the provisions of G.S. 128-24(1a) and who subsequently became or

1 becomes a member of this System with credit for five years of service, may thereafter
2 repay in a lump sum the amount withdrawn from the North Carolina Local
3 Governmental Employees' Retirement System plus regular interest thereon from the
4 date of withdrawal through the year of repayment and thereby increase his creditable
5 service in this System by the amount of creditable service lost when his account was
6 closed.
7   On or after July 1, 1979, a member who has obtained 60 months of aggregate
8 service, or five years of membership service, as an employee of the North Carolina
9 General Assembly, except legislators, participants in the Legislative Intern Program and
10 pages, may make a lump sum payment together with interest, and an administrative fee
11 for such service, to the Teachers' and State Employees' Retirement System of an amount
12 equal to what he would have contributed had he been a member on his first day of
13 employment. <u>In calculating the 60 months of aggregate service required by this</u>
14 <u>paragraph, an employee of the General Assembly is entitled to credit for any full-time</u>
15 <u>temporary service with other State agencies.</u>
16   On and after January 1, 1985, the creditable service of a member who was a member
17 of the Law-Enforcement Officers' Retirement System at the time of the transfer of law-
18 enforcement officers employed by the State from that System to this Retirement System
19 and whose accumulated contributions are transferred from that System to this
20 Retirement System, shall include service that was creditable in the Law-Enforcement
21 Officers' Retirement System; and membership service with that System shall be
22 membership service with this Retirement System; provided, notwithstanding any
23 provision of this Article to the contrary, any inchoate or accrued rights of such a
24 member to purchase creditable service for military service, withdrawn service and prior
25 service under the rules and regulations of the Law-Enforcement Officers' Retirement
26 System shall not be diminished and may be purchased as creditable service with this
27 Retirement System under the same conditions which would have otherwise applied."
28   Sec. 2. This act becomes effective July 1, 1991.