

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1997

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SENATE BILL 1032

Short Title: Amend LEO Retirement Def'n/Funds.

(Public)

Sponsors: Senator Shaw of Cumberland.

Referred to: Appropriations.

April 21, 1997

A BILL TO BE ENTITLED

1 AN ACT TO AMEND THE DEFINITION OF LAW ENFORCEMENT OFFICER FOR
2 PURPOSES OF ELIGIBILITY FOR BENEFITS UNDER THE LOCAL
3 GOVERNMENTAL EMPLOYEES' RETIREMENT SYSTEM AND TO
4 APPROPRIATE FUNDS TO CUMBERLAND COUNTY TO RECTIFY AN
5 ERROR IN CERTAIN COUNTY EMPLOYEES' 401K PLANS.
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7 The General Assembly of North Carolina enacts:

8 Section 1. G.S. 128-21(11b) reads as rewritten:

9 "~~(11b)'Law Enforcement Officer' means a full-time paid employee of an~~
10 ~~employer who is actively serving in a position with assigned primary~~
11 ~~duties and responsibilities for prevention and detection of crime or for~~
12 ~~the general enforcement of the criminal laws of the State or for serving~~
13 ~~civil processes, and who possesses the power of arrest by virtue of an~~
14 ~~oath administered under the authority of the State.~~ employer, who
15 possesses the power of arrest, who has taken the law enforcement oath
16 administered under the authority of the State as prescribed by G.S. 11-
17 11, and who is certified under the provisions of Chapter 17C or Chapter
18 17E of the General Statutes."

19 Section 2. G.S. 143-166.50(a)(3) reads as rewritten:

1 "(3) 'Law-enforcement officer' means a full-time paid employee of an
2 employer, who is ~~actively serving in a position with assigned primary~~
3 ~~duties and responsibilities for prevention and detection of crime or the~~
4 ~~general enforcement of the criminal laws of the State or serving civil~~
5 ~~processes, and who possesses the power of arrest by virtue of an oath~~
6 ~~administered under the authority of the State.~~ possesses the power of
7 arrest, who has taken the law enforcement oath administered under the
8 authority of the State as prescribed by G.S. 11-11, and who is certified
9 under the provisions of Chapter 17C or Chapter 17E of the General
10 Statutes."

11 Section 3. There is appropriated from the General Fund to Cumberland
12 County the sum of two hundred twenty-six thousand dollars (\$226,000) for the 1997-98
13 fiscal year to be used by the county for deposits to 401K plans of jailers who were
14 erroneously reported as law enforcement officers prior to 1995.

15 Section 4. This act becomes effective July 1, 1997, and applies to all persons
16 enrolled in the Local Governmental Employees' Retirement System on or after that date.