A BILL TO BE ENTITLED
AN ACT PROHIBITING MEMBERSHIP WAITING PERIODS FOR ELIGIBLE EMPLOYEES UNDER THE LOCAL GOVERNMENTAL EMPLOYEES' RETIREMENT SYSTEM AND UPDATING THE VOLUNTEER FIRE DEPARTMENT FUND MATCHING REQUIREMENTS.

The General Assembly of North Carolina enacts:

SECTION 1. G.S. 128-24 is amended by adding a new subdivision to read:

"(1b) A participating employer is prohibited from imposing a waiting period on any employees who are otherwise eligible to become members of the Retirement System."

SECTION 2. G.S. 58-87-1 reads as rewritten:

"§ 58-87-1. Volunteer Fire Department Fund.

(a) Fund. – The Volunteer Fire Department Fund is created as an interest-bearing, nonreverting fund in the Department to provide matching grants to volunteer fire departments to purchase equipment and make capital improvements. The Commissioner shall administer the Fund. Up to one percent (1%) of the Fund may be used for additional staff and resources to administer the Fund in each fiscal year.

(a1) Grant Program. – An eligible fire department may apply to the Commissioner for a grant under this section. In awarding grants under this section, the Commissioner must, to the extent possible, select applicants from all parts of the State based upon need. The Commissioner must award the grants on May 15, or on the first business day after May 15 if May 15 falls on a weekend or a holiday, of each year subject to the following limitations:

(1) The size of a grant may not exceed thirty thousand dollars ($30,000).

(2) The applicant shall match the grant on a dollar-for-dollar basis, unless the applicant receives less than fifty thousand dollars ($50,000) per year from municipal and county funding, in which case the applicant shall match one dollar ($1.00) for each three dollars ($3.00) of grant funds.

(2a) The applicant shall match the grant as follows:

a. Applicants receiving less than or equal to fifty thousand dollars ($50,000) per year from municipal and county funding are not required to match the grant funding.
b. Applicants receiving more than fifty thousand dollars ($50,000) but less than or equal to seventy-five thousand dollars ($75,000) per year from municipal and county funding shall match one dollar ($1.00) for each three dollars ($3.00) of grant funds.

c. Applicants receiving more than seventy-five thousand dollars ($75,000) per year from municipal and county funding shall match the grant on a dollar-for-dollar basis.

(3) The grant may be used only for equipment purchases, payment of highway use taxes on those purchases, costs of putting property acquired from the Department of Defense through the Firefighter Property (FFP) and federal Excess Property (FEPP) programs in service, or capital expenditures necessary to provide fire protection services.

(b) Eligible Fire Department. – A fire department is eligible for a grant under this section if it meets all of the conditions of this subsection. No fire department may be declared ineligible for a grant solely because it is classified as a municipal fire department. [The required conditions are:]

(1) Repealed by Session Laws 2016-78, s. 2.1(a), effective June 30, 2016.

(2) It consists entirely of volunteer members, with the exception that the unit may have paid members to fill the equivalent of six full-time paid positions.

(3) It has been certified by the Department of Insurance.

(c) Report. – The Commissioner must submit a written report to the General Assembly within 60 days after the grants have been made. This report must contain the following:

(1) The amount of the grant and the name of the recipient.

(2) The Fund balance at the beginning of the grant cycle.

(3) Cash receipts through the previous grant cycle.

(4) Cash disbursements through the previous grant cycle.

(5) The Fund balance at the beginning and end of the previous grant cycle.

(d) Any funding on deposit with the State Treasury for the purposes defined herein is appropriated up to the amount needed to reimburse volunteer fire departments for grants awarded during the most recent grant cycle."

SECTION 3. This act becomes effective December 1, 2021.