

GENERAL ASSEMBLY OF NORTH CAROLINA  
SESSION 2001

H

2

HOUSE BILL 999  
Committee Substitute Favorable 6/25/01

Short Title: Amend Membership Requirements.

(Public)

Sponsors:

Referred to:

April 9, 2001

A BILL TO BE ENTITLED

AN ACT TO CHANGE THE MEMBERSHIP REQUIREMENTS OF THE  
LEGISLATIVE RETIREMENT SYSTEM AND TO ELIMINATE CERTAIN  
PROHIBITIONS ON RECEIVING BENEFITS UNDER THAT SYSTEM.

The General Assembly of North Carolina enacts:

**SECTION 1.** G.S. 120-4.11 reads as rewritten:

**"§ 120-4.11. Membership.**

The following members of the General Assembly and former members of the  
General Assembly are eligible for membership in the Retirement System, provided they  
are not contributing to nor are qualified to contribute to the North Carolina Teachers'  
and State Employees' Retirement System, the Local Governmental Employees'  
Retirement System, the Law Enforcement Officers' Retirement System or the  
Consolidated Judicial Retirement System of North Carolina: System:

- (1) Members of the General Assembly who serve on and after June 15,  
1983; and
- (2) Former members of the General Assembly who served prior to June  
15, 1983; and
  - a. Who elect to transfer current and future entitlements, or  
contributions, from the Legislative Retirement Fund established  
by Chapter 1269 of the 1969 Session Laws; or
  - b. Who have five or more years of service as a member of the  
General Assembly."

**SECTION 2.** G.S. 120-4.21(c) reads as rewritten:

"(c) Limitations. – In no event shall any member receive a service retirement  
allowance greater than seventy-five percent (75%) of his 'highest annual  
salary' salary' nor shall he receive any service retirement allowance whatever while  
employed in a position that makes him a contributing member of any of the following  
retirement systems: The Teachers' and State Employees' Retirement System, the North  
Carolina Local Governmental Employees' Retirement System, or the Consolidated

1 ~~Judicial Retirement System. If he should become a member of any of these systems,~~  
2 ~~payment of his service retirement allowance shall be suspended until he withdraws from~~  
3 ~~membership in that system."~~

4       **SECTION 3.** G.S. 120-4.22(d) reads as rewritten:

5       "(d) Limitations. – In no event shall any member receive a disability retirement  
6 allowance greater than seventy-five percent (75%) of his 'highest annual salary"  
7 ~~salary'.nor shall he receive any disability retirement allowance whatever while~~  
8 ~~employed in a position that makes him a contributing member of any of the following~~  
9 ~~retirement systems: The Teachers' and State Employees' Retirement System, the North~~  
10 ~~Carolina Local Governmental Employees' Retirement System, the Law Enforcement~~  
11 ~~Officers' Retirement System, the Uniform Judicial Retirement System of North~~  
12 ~~Carolina, the Uniform Solicitorial Retirement System of North Carolina or the Uniform~~  
13 ~~Clerks of Court Retirement System of North Carolina. If he should become a member of~~  
14 ~~any of these systems payment of his disability retirement allowance shall be suspended~~  
15 ~~until he withdraws from membership in that system."~~

16       **SECTION 4.** This act is effective when it becomes law.