

**GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2009**

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**HOUSE BILL 94
Committee Substitute Favorable 3/4/09**

Short Title: Clarify Definition of Retirement.

(Public)

Sponsors:

Referred to:

February 10, 2009

A BILL TO BE ENTITLED

1
2 AN ACT TO AMEND THE DEFINITION OF RETIREMENT TO CLARIFY THAT
3 SERVICE AS AN UNPAID VOLUNTEER IN A LOCAL SCHOOL ADMINISTRATIVE
4 UNIT IS NOT CONSIDERED SERVICE FOR THE PURPOSE OF THAT DEFINITION.

5 The General Assembly of North Carolina enacts:

6 **SECTION 1.** G.S. 135-1(20) reads as rewritten:

7 "(20) "Retirement" means the termination of employment and the complete
8 separation from active service with no intent or agreement, express or
9 implied, to return to service. A retirement allowance under the provisions of
10 this Chapter may only be granted upon retirement of a member. In order for
11 a member's retirement to become effective in any month, the member must
12 render no service, including part-time, temporary, substitute, or contractor
13 service, at any time during the six months immediately following the
14 effective date of retirement. For purposes of this subdivision, service as a
15 member of a school board or as an unpaid bona fide volunteer in a local
16 school administrative unit shall not be considered service."

17 **SECTION 2.** This act is effective when it becomes law.

