

**GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2009**

**SESSION LAW 2010-136
SENATE BILL 1251**

AN ACT TO GRANT THE SAME HEALTH BENEFIT COVERAGE CURRENTLY PROVIDED TO OTHER STATE EMPLOYEES TO TEACHERS WHO HAVE WORKED A FULL SCHOOL YEAR AND TO NOT PROVIDE NON-CONTRIBUTORY HEALTH BENEFIT COVERAGE TO FORMER STATE EMPLOYEES WHO ARE PROVIDED NON-CONTRIBUTORY HEALTH BENEFIT COVERAGE BY A SUBSEQUENT EMPLOYER.

The General Assembly of North Carolina enacts:

SECTION 1. G.S. 135-45.2(a)(8) reads as rewritten:

"§ 135-45.2. Eligibility.

(a) Noncontributory Coverage. – The following persons are eligible for coverage under the Plan, on a noncontributory basis, subject to the provisions of G.S. 135-45.4:

- ...
- (8) Notwithstanding the provisions of ~~G.S.~~ G.S. 135-45.12 employees formerly covered by the provisions of this section, other than retired employees, who have been employed for 12 or more months by an employing ~~unit~~ unit, or who have completed a contract term of employment of 10 or 11 months and whose employing unit is a local school administrative unit, and whose jobs are eliminated because of a reduction, in total or in part, in the funds used to support the job or its responsibilities, provided the employees were covered by the Plan at the time of separation from service resulting from a job elimination. Employees covered by this subsection shall be covered for a period of up to 12 months following a separation from service because of a job elimination."

SECTION 2. G.S. 135-45.2(a)(8), as amended by Section 1 of this act, reads as rewritten:

- "(8) Notwithstanding the provisions of G.S. 135-45.12 employees formerly covered by the provisions of this section, other than retired employees, who have been employed for 12 or more months by an employing unit, or who have completed a contract term of employment of 10 or 11 months and whose employing unit is a local school administrative unit, and whose jobs are eliminated because of a reduction, in total or in part, in the funds used to support the job or its responsibilities, provided the employees were covered by the Plan at the time of separation from service resulting from a job elimination. Employees covered by this subsection shall be covered for a period of up to 12 months following a separation from service because of a job elimination. An employee formerly covered by the provisions of this section shall not be eligible for coverage under this subdivision if the employee is provided health benefit coverage on a non-contributory basis by a subsequent employer."



SECTION 3. Section 1 of this act becomes effective May 1, 2010. The remainder of this act is effective when it becomes law.

In the General Assembly read three times and ratified this the 9th day of July, 2010.

s/ Walter H. Dalton
President of the Senate

s/ Joe Hackney
Speaker of the House of Representatives

s/ Beverly E. Perdue
Governor

Approved 5:30 p.m. this 21st day of July, 2010