

GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2009

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SENATE BILL 1401

Short Title: Emergency Fund for LEOs in Mecklenburg Co. (Local)

Sponsors: Senator Graham.

Referred to: Pensions & Retirement & Aging.

May 26, 2010

1 A BILL TO BE ENTITLED
2 AN ACT TO AMEND THE EMERGENCY PENSION FUND FOR LAW ENFORCEMENT
3 OFFICERS IN MECKLENBURG COUNTY.

4 The General Assembly of North Carolina enacts:

5 **SECTION 1.** Section 5 of Chapter 446 of the Public-Local Laws of 1931, as
6 amended by Section 28.26 of Chapter 18 of the 1996 Session Laws of the Second Extra
7 Session, and S.L. 2003-323 reads as rewritten:

8 "Sec. 5. The funds accumulated under this act shall be known as "The Emergency Pension
9 Fund for Sworn Law Enforcement Officers of Mecklenburg County", and shall be used as a
10 fund for all law enforcement officers, as defined in Section 2 of this act, and their families,
11 under the following terms and conditions:

- 12 (1) If a law enforcement officer is killed while in the actual performance of the
13 officer's duties, then the Board may pay from the Fund the amount of ~~ten~~
14 ~~thousand dollars (\$10,000)~~ twenty-five thousand dollars (\$25,000) as a death
15 benefit to the surviving spouse of the deceased officer. If the law
16 enforcement officer is not married at the time of death, the Board may pay
17 the death benefit to the nearest dependent next of kin of the deceased.
- 18 (2) If the law enforcement officer is permanently and totally physically disabled
19 due to a physical injury received in the actual performance of the officer's
20 duties, then the Board may pay from the Fund to the law enforcement officer
21 the amount of ~~ten thousand dollars (\$10,000)~~ twenty-five thousand dollars
22 (\$25,000). In the event the law enforcement officer is temporarily and totally
23 physically disabled due to a physical injury received in the performance of
24 the officer's duties, then the Board may pay from the Fund to the law
25 enforcement officer a disability supplement of five hundred dollars
26 (\$500.00) a month during the time that the officer is temporarily and totally
27 disabled up to a maximum of ~~ten thousand dollars (\$10,000)~~ twenty-five
28 thousand dollars (\$25,000). In any event, a temporarily or permanently
29 physically disabled law enforcement officer shall not receive more than that
30 ~~ten thousand dollars (\$10,000)~~ twenty-five thousand dollars (\$25,000).
- 31 (3) If a law enforcement officer is killed while in the actual performance of the
32 officer's duties or is permanently and totally disabled, then the Board may
33 award college scholarships to the officer's children up to a maximum amount
34 of ~~ten thousand dollars (\$10,000)~~ twenty-five thousand dollars (\$25,000).
35 Such scholarships may be awarded if the child is between the ages of 17 and
36 22 and has been accepted or is attending a fully accredited college or
37 university.



1 (4) If a law enforcement officer is killed while in the actual performance of the
2 officer's duties, then the Board may send up to one hundred dollars
3 (\$100.00) to each surviving child on the birthday of the deceased law
4 enforcement officer."

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