

GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2021

H

1

HOUSE BILL 647

Short Title: Enhanced In-Service Retirement for LEOs. (Public)

Sponsors: Representatives McNeill and Potts (Primary Sponsors).

For a complete list of sponsors, refer to the North Carolina General Assembly web site.

Referred to: Pensions and Retirement, if favorable, Rules, Calendar, and Operations of the House

April 26, 2021

A BILL TO BE ENTITLED

AN ACT ALLOWING CERTAIN RETIRED LAW ENFORCEMENT OFFICERS WHO ARE BENEFICIARIES OF THE LOCAL GOVERNMENTAL EMPLOYEES' RETIREMENT SYSTEM TO RETURN TO WORK AS SCHOOL RESOURCE OFFICERS OR ELECTED SHERIFFS WITHOUT ADVERSELY IMPACTING THEIR RETIREMENT BENEFITS.

The General Assembly of North Carolina enacts:

SECTION 1. G.S. 128-21 is amended by adding a new subdivision to read:

"(1e) "In-service retired law enforcement officer" shall mean a beneficiary of the Local Governmental Employees' Retirement System of North Carolina who meets both of the following requirements:

- a. Is at least 59.5 years of age, with at least five years of creditable service as a law enforcement officer.
- b. Is reemployed by a sheriff's office or a police department as a school resource officer in a capacity that meets the definition of "employee" in G.S. 128-21(10) or is elected to the office of sheriff."

SECTION 2. G.S. 128-24(5) is amended by adding a new sub-subdivision to read:

"f. Notwithstanding the definition of "retirement" in G.S. 128-21(19) or any other provision of State law to the contrary, an in-service retired law enforcement officer is not subject to the reemployment limitations specified in sub-subdivision c. of this subdivision. Should an employee who retired on an early or service retirement allowance be restored to service as an in-service retired law enforcement officer, that employee's allowance shall continue for the duration of the employment as an in-service retired law enforcement officer, without limitation. The employee shall again become a member of the Retirement System and shall contribute thereafter at the applicable, uniform contribution rate. Upon separation from service as an in-service retired law enforcement officer and upon electronic submission or written application to the Board of Trustees setting forth at what time, as of the first day of a calendar month, not less than one day nor more than 120 days subsequent to the execution and filing of the application, the member desires to commence retirement, the member's allowance shall be recomputed in accordance with the service retirement provisions of this Article pertaining to law



* H 6 4 7 - V - 1 *

1 enforcement officers, taking into consideration the member's
2 creditable service and contributions as an in-service retired law
3 enforcement officer."

4 **SECTION 3.** This act becomes effective July 1, 2021.