

GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2025

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SENATE BILL DRS35355-MRp-149

Short Title: 25-Year Retirement for First Responders. (Public)

Sponsors: Senator Grafstein (Primary Sponsor).

Referred to:

1 A BILL TO BE ENTITLED
2 AN ACT ALLOWING FIRST RESPONDERS WHO ARE MEMBERS OF THE TEACHERS'
3 AND STATE EMPLOYEES' RETIREMENT SYSTEM OR THE LOCAL
4 GOVERNMENTAL EMPLOYEES' RETIREMENT SYSTEM TO RETIRE WITH
5 UNREDUCED BENEFITS AFTER ACHIEVING TWENTY-FIVE YEARS OF
6 CREDITABLE SERVICE AND MAKING CONFORMING CHANGES.

7 The General Assembly of North Carolina enacts:

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

9 "§ 135-1. Definitions.

10 The following words and phrases as used in this Chapter, unless a different meaning is plainly
11 required by the context, shall have the following meanings:

12 ...

13 (9a) "Emergency medical services personnel" or "EMS personnel" shall mean all
14 full-time employees of any State department, agency, or institution who meet
15 the definition of emergency medical services personnel under G.S. 131E-155.
16 This includes emergency medical dispatchers and the Director of EMS.

17 ...

18 (11b) "Firefighter" shall mean all full-time employees of any State department,
19 agency, or institution who are actively serving in a position with assigned
20 primary duties and responsibilities for the prevention, detection, and
21 suppression of fire. This includes fire dispatchers, fire inspectors, and fire
22 marshals.

23 ~~(11b)~~(11c) "Fraud investigation" means an independent review or examination by
24 Retirement Systems Division staff or authorized representatives who are
25 assisting the Retirement Systems Division staff of records, activities, actions,
26 or decisions by employers or other affiliated or associated entities having an
27 impact on the Retirement System. The purpose of a fraud investigation is to
28 help detect and prevent fraud and to ensure full accountability in the use of
29 pension funds.

30 ~~(11e)~~(11d) "Law Enforcement Officer" means a full-time paid employee of an
31 employer who is actively serving in a position with assigned primary duties
32 and responsibilities for prevention and detection of crime or the general
33 enforcement of the criminal laws of the State of North Carolina or serving
34 civil processes, and who possesses the power of arrest by virtue of an oath
35 administered under the authority of the State. "Law Enforcement Officer" also
36 means a probation/parole officer as defined in this section with respect to any



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1 service rendered on or after July 1, 2017. This includes police dispatchers,
2 police investigators, sheriff's deputies, bailiffs, corrections officers, detention
3 officers, and jailers.

4"

5 **SECTION 1.(b)** G.S. 135-5(a) is amended by adding a new subdivision to read:

6 "(4b) Any member who is a law enforcement officer, firefighter, or emergency
7 medical services personnel and has completed 25 years of creditable service
8 may retire upon electronic submission or written application to the Board of
9 Trustees setting forth at what time, as of the first day of a calendar month, not
10 less than one day nor more than 120 days subsequent to the execution and
11 filing thereof, the member desires to be retired; provided, however, that any
12 member who has met the 25 years of creditable service required by this
13 subdivision but does not retire and later becomes employed other than as the
14 member was employed while completing 25 years of creditable service shall
15 continue to have the right to commence retirement."

16 **SECTION 1.(c)** G.S. 135-5(b21) reads as rewritten:

17 "(b21) Service Retirement Allowance of Non-First Responder Members Retiring on or After
18 July 1, 2019; and First Responder Members Retiring on or After July 1, 2019, but
19 Before January 1, 2027. – Upon retirement from service on or after July 1, 2019, in accordance
20 with subsection (a) or (a1) of this section, a member shall receive the following service retirement
21 allowance:

22"

23 **SECTION 1.(d)** G.S. 135-5 is amended by adding a new subsection to read:

24 "(b22) Service Retirement Allowance of First Responders Retiring on or After January 1,
25 2027. – Upon retirement from service on or after January 1, 2027, in accordance with subsection
26 (a) or (a1) of this section and notwithstanding any other provision of this section to the contrary,
27 a member who is a law enforcement officer, eligible former law enforcement officer, firefighter,
28 eligible former firefighter, emergency medical services personnel, or eligible former medical
29 services personnel shall receive a service retirement allowance computed as follows:

30 (1) If the member's service retirement date occurs on or after the member's 55th
31 birthday and completion of five years of creditable service as a law
32 enforcement officer, as a firefighter, or as EMS personnel, or after the
33 completion of 25 years of creditable service, the allowance shall be equal to
34 one and eighty-two hundredths percent (1.82%) of the member's average final
35 compensation multiplied by the number of years of the member's creditable
36 service.

37 (2) If the member's service retirement date occurs on or after the member's 50th
38 birthday and before the member's 55th birthday with 15 or more years of
39 creditable service as a law enforcement officer, firefighter, or EMS personnel
40 and prior to the completion of 25 years of creditable service, the retirement
41 allowance shall be equal to the greater of the following amounts:

42 a. The service retirement allowance payable under subdivision (1) of this
43 subsection reduced by one-third of one percent (1/3 of 1%) thereof for
44 each month by which the retirement date precedes the first day of the
45 month coincident with or next following the month the member would
46 have attained age 55.

47 b. The service retirement allowance as computed under subdivision (1)
48 of this subsection reduced by five percent (5%) times the difference
49 between 25 years and the amount of creditable service at retirement."

50 **SECTION 1.(e)** G.S. 135-5(m)(1)b1. reads as rewritten:

1 "b1. The member was a law enforcement officer who had obtained 15 years
2 of service as a law enforcement ~~officer-officer~~, or the member was a
3 firefighter who had obtained 15 years of service as a firefighter, or the
4 member was EMS personnel who had obtained 15 years of service as
5 EMS personnel, and was killed in the line of duty, in which case the
6 retirement allowance shall be computed in accordance with
7 G.S. 135-5(b21)(1)e., —G.S. 135-5(b22)(1) notwithstanding the
8 requirement of obtaining age 50."

9 **SECTION 2.(a)** G.S. 128-21 is amended by adding a new subdivision to read:

10 "(9a) "Emergency medical services personnel" or "EMS personnel" means all
11 full-time rescue squad workers and all full-time employees of any employer
12 that participates in the Local Governmental Employees' Retirement System
13 who meet the definition of emergency medical services personnel under
14 G.S. 131E-155."

15 **SECTION 2.(b)** G.S. 128-27(a) is amended by adding a new subdivision to read:

16 "(6) Any member who is a law enforcement officer, firefighter, or emergency
17 medical services personnel who has completed 25 years of creditable service
18 may retire upon electronic submission or written application to the Board of
19 Trustees setting forth at what time, as of the first day of a calendar month, not
20 less than one day nor more than 120 days subsequent to the execution and
21 filing of the application, the member desires to be retired; provided, however,
22 that any member who has met the conditions required by this subdivision but
23 does not retire and later becomes employed other than as the member was
24 employed while completing 25 years of creditable service shall continue to
25 have the right to commence retirement."

26 **SECTION 2.(c)** G.S. 128-27(b22) reads as rewritten:

27 "(b22) Service Retirement Allowance of ~~Member~~ Non-First Responder Members Retiring
28 on or After July 1, 2019. July 1, 2019; and First-Responder Members Retiring on or After July
29 1, 2019, but Before January 1, 2027. – Upon retirement from service in accordance with
30 subsection (a) or (a1) of this section, on or after July 1, 2019, a member shall receive for members
31 other than law enforcement officers, firefighters, and EMS personnel, and on or after July 1,
32 2019, but before January 1, 2027, for law enforcement officers, firefighters, and EMS personnel,
33 the following service retirement ~~allowance~~: allowance shall apply:

34"

35 **SECTION 2.(d)** G.S. 128-27 is amended by adding a new subsection to read:

36 "(b23) Service Retirement Allowance of Law Enforcement Officers, Firefighters, and
37 Emergency Medical Services Personnel Retiring on or After January 1, 2027. – Upon retirement
38 from service in accordance with subsection (a) or (a1) of this section on or after January 1, 2027,
39 and notwithstanding any other provision of this section to the contrary, a member who is a law
40 enforcement officer, eligible former law enforcement officer, firefighter, eligible former
41 firefighter, EMS personnel, or eligible former EMS personnel shall receive a service retirement
42 allowance computed as follows:

43 (1) If the member's service retirement date occurs on or after the member's 55th
44 birthday and completion of five years of creditable service as a law
45 enforcement officer, as a firefighter, or as EMS personnel, or after the
46 completion of 25 years of creditable service, the allowance shall be equal to
47 one and eighty-five hundredths percent (1.85%) of the member's average final
48 compensation multiplied by the number of years of the member's creditable
49 service.

50 (2) If the member's service retirement date occurs on or after the member's 50th
51 birthday and before the member's 55th birthday with 15 or more years of

1 creditable service as a law enforcement officer, firefighter, or EMS personnel
 2 and prior to the completion of 25 years of creditable service, the retirement
 3 allowance shall be equal to the greater of the following amounts:

4 a. The service retirement allowance payable under subdivision (1) of this
 5 subsection reduced by one-third of one percent (1/3 of 1%) thereof for
 6 each month by which the retirement date precedes the first day of the
 7 month coincident with or next following the month the member would
 8 have attained age 55.

9 b. The service retirement allowance as computed under subdivision (1)
 10 of this subsection reduced by five percent (5%) times the difference
 11 between 25 years and the amount of creditable service at retirement."

12 **SECTION 2.(e)** G.S. 128-27(m)(1)b1. reads as rewritten:

13 "b1. The member was a law enforcement officer who had obtained 15 years
 14 of service as a law enforcement officer and was killed in the line of
 15 duty, or the member was a firefighter or a rescue squad worker who
 16 had obtained 15 years of service as a firefighter or a rescue squad
 17 worker and was killed in the line of duty, or the member was EMS
 18 personnel who had obtained 15 years of service as EMS personnel and
 19 was killed in the line of duty, in which cases the retirement allowance
 20 shall be computed in accordance with ~~G.S. 128-27(b22)(1)e.,~~
 21 G.S. 128-27(b23)(1), notwithstanding the requirement of obtaining
 22 age 50."

23 **SECTION 3.(a)** G.S. 143-166.41(b1) reads as rewritten:

24 "(b1) Eligibility for Allowance and Calculation of Allowance Amount. – To be eligible for
 25 an allowance under this section, an officer is required to meet one of the following sets of criteria
 26 that shall also determine the allowance amount:

27 (1) For officers meeting all of the following criteria, the annual special separation
 28 allowance to be paid is equal to eighty-five hundredths percent (0.85%) of the
 29 annual base rate of compensation most recently applicable to the officer for
 30 each year of that officer's creditable service:

31 a. ~~The~~ For officers retiring before January 1, 2027, the officer (i) has
 32 completed 30 or more years of creditable service or (ii) is 55 years of
 33 age or older and completed five or more years of creditable service.

34 a1. For officers retiring on or after January 1, 2027, the officer (i) has
 35 completed 25 or more years of creditable service or (ii) is 55 years of
 36 age or older and completed five or more years of creditable service.

37 ...

38 (2) For officers meeting all of the following criteria, the annual special separation
 39 allowance to be paid is equal to eighty-five hundredths percent (0.85%) of the
 40 annual equivalent of the base rate of compensation at the time the officer
 41 attained 30 years of service multiplied by 30:

42 a. ~~Prior~~ For officers retiring prior to January 1, 2027, prior to attaining
 43 62 years of age, the officer has completed 30 or more years of
 44 creditable service, at least fifty percent (50%) of which was as a law
 45 enforcement officer, or for service prior to July 1, 2017, as a
 46 probation/parole officer.

47 a1. For officers retiring on or after January 1, 2027, prior to attaining 62
 48 years of age, the officer has completed 25 or more years of creditable
 49 service, at least fifty percent (50%) of which was as a law enforcement
 50 officer, or for service prior to July 1, 2017, as a probation/parole
 51 officer.

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SECTION 3.(b) G.S. 143-166.42(b1) reads as rewritten:

"(b1) Qualification for Allowance and Calculation of Allowance. – To be eligible for an allowance under this section, an officer is required to meet one of the following sets of criteria, which shall also determine the allowance amount:

(1) For officers meeting all of the following criteria, the annual special separation allowance to be paid is equal to eighty-five hundredths percent (0.85%) of the annual base rate of compensation most recently applicable to the officer for each year of that officer's creditable service:

a. ~~The~~ For officers retiring before January 1, 2027, the officer (i) has completed 30 or more years of creditable service or (ii) is 55 years of age or older and completed five or more years of creditable service.

a1. For officers retiring on or after January 1, 2027, the officer (i) has completed 25 or more years of creditable service or (ii) is 55 years of age or older and completed five or more years of creditable service.

...

(2) For officers meeting all of the following criteria, the annual special separation allowance to be paid is equal to eighty-five hundredths percent (0.85%) of the annual equivalent of the base rate of compensation at the time the officer attained 30 years of service multiplied by 30:

a. ~~Prior~~ For officers retiring before January 1, 2027, prior to attaining 62 years of age, the officer has completed 30 or more years of creditable service, at least fifty percent (50%) of which was as a law enforcement officer.

a1. For officers retiring on or after January 1, 2027, prior to attaining 62 years of age, the officer has completed 25 or more years of creditable service or is 55 years of age or older and completed five or more years of creditable service.

...."

SECTION 4. This act becomes effective January 1, 2027, and applies to eligible retirements occurring on or after that date.