

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1999

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HOUSE BILL 962

Short Title: Repeal Retirement Exclusion.

(Public)

Sponsors: Representative Fitch.

Referred to: Pensions and Retirement.

April 12, 1999

A BILL TO BE ENTITLED

AN ACT TO REPEAL THE LAW REQUIRING THAT RETIRED JUDGES FOREGO RETIREMENT BENEFITS OR RECEIVE REDUCED BENEFITS WHILE SERVING AS JUDICIAL OFFICERS IN FEDERAL COURTS.

The General Assembly of North Carolina enacts:

Section 1. G.S. 135-72 reads as rewritten:

"§ 135 States courts.

(a) ~~Members who are appointed to serve as a judicial officer in the United States courts shall not be eligible for benefits under this Article while actively serving as a judicial officer in the United States courts.~~

(b) ~~Should a retired former member be appointed to serve as a judicial officer in the United States courts or be in receipt of a retirement allowance from service as a judicial officer in the United States courts, his retirement allowance provided under the provisions of this Article shall be reduced so that the sum of his retirement allowance and the salary or retirement allowance from service as a judicial officer in the United States courts does not exceed the salary for the office last held by the retired member in the General Court of Justice of North Carolina. Provided, however, that under no circumstances will the retired member's retirement allowance be reduced below the amount of his annuity resulting from his accumulated contributions."~~

Section 2. This act is effective when it becomes law.