

**GENERAL ASSEMBLY OF NORTH CAROLINA  
SESSION 2001**

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**HOUSE BILL 1390**

Short Title: Retirement Withdrawal Service.

(Public)

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Sponsors: Representative Nesbitt.

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Referred to: Pensions and Retirement.

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April 26, 2001

A BILL TO BE ENTITLED

1 AN ACT TO ALLOW THE PURCHASE OF WITHDRAWAL SERVICE IN THE  
2 TEACHERS' AND STATE EMPLOYEES' RETIREMENT SYSTEM.  
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4 The General Assembly of North Carolina enacts:

5 **SECTION 1.** G.S. 135-4(k) reads as rewritten:

6 "(k) Notwithstanding any other provision of this Chapter, any person who  
7 withdrew his contributions in accordance with the provisions of G.S. 128-27(f) or G.S.  
8 135-5(f) or the rules and regulations of the Law-Enforcement Officers' Retirement  
9 System and who subsequently returns to service may, upon completion of 10 years of  
10 membership service, repay in a total lump sum any and all of the accumulated  
11 contributions previously withdrawn with sufficient interest added thereto to cover one  
12 half of the cost of providing such additional credit plus a fee to cover expense of  
13 handling which shall be determined by the Board of Trustees and receive credit for the  
14 service forfeited at time of ~~withdrawal(s), provided that he left service prior to July 1,~~  
15 ~~1974. withdrawal(s).~~ Any person who leaves service after June 30, 1974, and who  
16 ~~withdraws his contributions in accordance with G.S. 128-27(f) or G.S. 135-5(f) or the~~  
17 ~~rules and regulations of the Law-Enforcement Officers' Retirement System and who~~  
18 ~~subsequently returns to service may, upon completion of 10 years of membership~~  
19 ~~service, repay in a total lump sum any and all of the accumulated contributions~~  
20 ~~previously withdrawn with sufficient interest added thereto to cover the full cost of~~  
21 ~~providing such additional credit plus a fee to cover expense of handling which shall be~~  
22 ~~determined by the Board of Trustees and receive credit for the service forfeited at time~~  
23 ~~of withdrawal(s).~~ These provisions shall apply equally to retired members who had  
24 attained 10 years of membership service prior to retirement. Cost as used in this  
25 subsection shall mean the amount of money required to provide additional retirement  
26 benefits based on service credit allowed at the time any adjustment to the service credit  
27 of a member is made.

1 Notwithstanding any provision to the contrary, a law enforcement officer who was  
2 transferred from the Law Enforcement Officers' Retirement System to this Retirement  
3 System pursuant to Article 12C of Chapter 143 of the General Statutes and withdrew his  
4 accumulated contributions prior to January 1, 1985, in accordance with G.S. 128-27(f)  
5 or G.S. 135-5(f) for non-law enforcement service and who has 10 years or more of  
6 membership service standing to his credit may repay in a total lump sum the  
7 accumulated contributions previously withdrawn with sufficient interest added thereto  
8 to cover one-half the cost of providing such additional credits plus a fee to cover the  
9 expense of handling which shall be determined by the Board of Trustees and receive  
10 credit for the creditable service forfeited at the time of withdrawal."

11 **SECTION 2.** G.S. 135-4(m) is repealed.

12 **SECTION 3.** This act is effective when it becomes law.