

GENERAL ASSEMBLY OF NORTH CAROLINA  
SESSION 2005

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SENATE BILL 32\*

Short Title: Fire and Rescue Pension Election. (Public)

Sponsors: Senators Hoyle; Dalton, Malone, Rand, Snow, Swindell, Thomas, and  
Weinstein.

Referred to: Pensions & Retirement and Aging.

February 2, 2005

A BILL TO BE ENTITLED

AN ACT TO PROVIDE THAT MEMBERS OF THE FIREMEN'S AND RESCUE  
SQUAD WORKERS' PENSION FUND MAY ELECT TO TERMINATE  
MEMBERSHIP IN THE FUND AT ANYTIME, BUT THAT DELINQUENT  
PAYMENTS ALONE DO NOT TERMINATE MEMBERSHIP.

The General Assembly of North Carolina enacts:

**SECTION 1.** G.S. 58-86-85 is repealed.

**SECTION 2.** G.S. 58-86-35 reads as rewritten:

**"§ 58-86-35. Firemen's application for membership in fund; monthly payments by  
members; payments credited to separate accounts of ~~members~~.members;  
termination of membership.**

Those firemen who are eligible pursuant to G.S. 58-86-25 may make application for  
membership to the board. Each fireman upon becoming a member of the fund shall pay  
the director of the fund the sum of ten dollars (\$10.00) per month. The monthly  
payments shall be credited to the separate account of the member and shall be kept by  
the custodian so it is available for payment on withdrawal from membership or  
retirement.

A member may elect to terminate membership in the fund at anytime and request the  
refund of payments previously made to the fund. However, a member's delinquency in  
making the monthly payments required by this section does not result in the termination  
of membership without such an election by the member."

**SECTION 3.** G.S. 58-86-40 reads as rewritten:

**"§ 58-86-40. Rescue squad worker's application for membership in funds; monthly  
payments by members; payments credited to separate accounts of  
~~members~~.members; termination of membership.**

Those rescue squad workers eligible pursuant to G.S. 58-86-30 may apply to the  
board for membership. Each eligible rescue squad worker upon becoming a member  
shall pay the director of the fund the sum of ten dollars (\$10.00) per month. The

1 monthly payments shall be credited to the separate account of the member and shall be  
2 kept by the custodian so it is available for payment on withdrawal from membership or  
3 retirement.

4 A member may elect to terminate membership in the fund at anytime and request the  
5 refund of payments previously made to the fund. However, a member's delinquency in  
6 making the monthly payments required by this section does not result in the termination  
7 of membership without such an election by the member."

8 **SECTION 4.** This act is effective when it becomes law.