

GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2007

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HOUSE BILL 1838

Short Title: Legislative Retirement/Return to Service.

(Public)

Sponsors: Representatives Bell; and Pierce.

Referred to: Pensions and Retirement.

April 19, 2007

1 A BILL TO BE ENTITLED
2 AN ACT TO CHANGE THE MEMBERSHIP SERVICE REQUIREMENTS IN THE
3 LEGISLATIVE RETIREMENT SYSTEM FOR FORMER MEMBERS WHO
4 RETURN TO SERVICE.

5 The General Assembly of North Carolina enacts:

6 **SECTION 1.** G.S. 120-4.24 reads as rewritten:

7 "**§ 120-4.24. Return to membership of former member.**

8 If a retired former member of the Retirement System or of the Legislative
9 Retirement Fund returns to service as a member of the General Assembly, his retirement
10 allowance shall cease and he shall be restored as a member of the Retirement System.
11 The computation of the amount of benefits to which he may subsequently become
12 entitled under this Article shall be computed as follows:

13 Upon his subsequent retirement, he shall be paid a retirement allowance determined
14 as follows:

- 15 (1) For a member who earns at least ~~three~~ two years' membership service
16 after restoration to service, the retirement allowance shall be computed
17 on the basis of his compensation and service before and after the
18 period of prior retirement without restrictions.
- 19 (2) For a member who does not earn ~~three~~ two years' membership service
20 after restoration to service, the retirement allowance shall be equal to
21 the sum of the retirement allowance to which he would have been
22 entitled had he not been restored to service, without modification of
23 the election of an optional allowance previously made, and the
24 retirement allowance that results from service earned since being
25 restored to service."

26 **SECTION 2.** This act is effective when it becomes law.