

GENERAL ASSEMBLY OF NORTH CAROLINA  
SESSION 2013

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HOUSE BILL 551

Short Title: Amend Wilmington Firefighters' Relief Fund. (Local)

Sponsors: Representatives Davis and Hamilton (Primary Sponsors).

*For a complete list of Sponsors, refer to the North Carolina General Assembly Web Site.*

Referred to: Government, if favorable, Finance.

April 4, 2013

A BILL TO BE ENTITLED

AN ACT TO REPEAL THE ACT CREATING A FIREMEN'S BENEFIT FUND FOR  
FIREMEN IN THE CITY OF WILMINGTON, AS AMENDED, AND TO MODIFY THE  
APPLICATION OF G.S. 58-84-35 TO THE CITY OF WILMINGTON.

The General Assembly of North Carolina enacts:

**SECTION 1.** Chapter 505 of the 1983 Session Laws, as amended by Chapter 904  
of the 1987 Session Laws, is repealed.

**SECTION 2.** Retiree Benefits. – In addition to the purposes for disbursement  
enumerated in G.S. 58-84-35, the local Board of Trustees of the Wilmington Firefighters' Relief  
Fund may also disburse funds for the benefit of each retired fireman of the City of Wilmington  
who is receiving retirement or disability benefits from the Firemen's Pension Fund of  
Wilmington, North Carolina, or the Local Governmental Employees' Retirement System.

**SECTION 3.** Survivor Benefits. – In addition to the purposes for disbursement  
enumerated in G.S. 58-84-35, the local Board of Trustees of the Wilmington Firefighters' Relief  
Fund may also disburse funds for the benefit of any surviving spouse or beneficiary of a  
fireman as long as that surviving spouse or beneficiary was already receiving the retirement or  
disability benefits of that fireman from the Firemen's Pension Fund of Wilmington, North  
Carolina, or the Local Governmental Employees' Retirement System as of December 31, 2012.

**SECTION 4.** Acceptance of Gifts. – The local Board of Trustees may accept any  
gift, grant, bequest, or donation of money for the use of the Wilmington Firefighters' Relief  
Fund to then be used in accordance with G.S. 58-84-35 and this act.

**SECTION 5.** Severability. – If any provision of this act is declared invalid by a  
court of competent jurisdiction, the invalidity shall not affect other provisions of this act that  
can be in effect without the invalid provision, and to this end the provisions of this act are  
declared to be severable.

**SECTION 6.** Repealer. – All laws and clauses of laws in conflict with this act are  
hereby repealed.

**SECTION 7.** None of the provisions of this act shall create a liability for the New  
Hanover Firemen's Benefit Fund unless sufficient current assets are available in the Fund to pay  
fully for the liability.

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

