

GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2003

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SENATE DRS35159-LL-101 (3/26)

Short Title: Creditable Service/Workers' Compensation. (Public)

Sponsors: Senator Hartsell.

Referred to:

A BILL TO BE ENTITLED

AN ACT TO PROVIDE THAT CREDITABLE SERVICE IN THE LOCAL GOVERNMENTAL EMPLOYEES' RETIREMENT SYSTEM SHALL INCLUDE PERIODS OF EMPLOYER-APPROVED LEAVES OF ABSENCE WHEN IN RECEIPT OF WORKERS' COMPENSATION BENEFITS.

The General Assembly of North Carolina enacts:

SECTION 1. G.S. 128-26(l) is repealed.

SECTION 2. G.S. 128-26(g) reads as rewritten:

"(g) ~~During~~ Except as provided in subsection (g1) of this section, during periods when a member is on leave of absence and is receiving less than his full compensation, he will be deemed to be in service only if he is contributing to the Retirement System as provided in G.S. 128-30(b)(4). If he is so contributing, the annual rate of compensation paid to such employee immediately before the leave of absence began will be deemed to be the actual compensation rate of the employee during the leave of absence."

SECTION 3. G.S. 128-26 is amended by adding a new subsection to read:

"(g1) Creditable service at retirement shall include any periods of employer-approved leaves of absence when the member is in receipt of benefits under the Workers' Compensation Act, and the employer shall make both the employer and employee contributions during those periods."

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