

GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2005

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HOUSE BILL 23

Short Title: Fire and Rescue Pension Election.

(Public)

Sponsors: Representatives Howard; LaRoque and Wray.

Referred to: Pensions and Retirement.

February 1, 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 G.S. 58-86-85 is repealed.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 monthly payments shall be credited to the separate account of the member and shall be

1 kept by the custodian so it is available for payment on withdrawal from membership or
2 retirement.

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

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