

GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2005

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HOUSE BILL 23
Committee Substitute Favorable 3/24/05

Short Title: Fire and Rescue Pension Election.

(Public)

Sponsors:

Referred to:

February 1, 2005

A BILL TO BE ENTITLED

1 AN ACT TO PROVIDE THAT MEMBERS OF THE FIREMEN'S AND RESCUE
2 SQUAD WORKERS' PENSION FUND MAY ELECT TO TERMINATE
3 MEMBERSHIP IN THE FUND AT ANYTIME, BUT THAT DELINQUENT
4 PAYMENTS ALONE DO NOT TERMINATE MEMBERSHIP.
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6 The General Assembly of North Carolina enacts:

7 **SECTION 1.** G.S. 58-86-85 is repealed.

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

9 **"§ 58-86-35. Firemen's application for membership in fund; monthly payments by**
10 **members; payments credited to separate accounts of ~~members~~members;**
11 **termination of membership.**

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

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

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

23 **"§ 58-86-40. Rescue squad worker's application for membership in funds; monthly**
24 **payments by members; payments credited to separate accounts of**
25 **~~members~~members; termination of membership.**

26 Those rescue squad workers eligible pursuant to G.S. 58-86-30 may apply to the
27 board for membership. Each eligible rescue squad worker upon becoming a member
28 shall pay the director of the fund the sum of ten dollars (\$10.00) per month. The
29 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 any time and request
4 the refund of payments previously made to the fund. However, a member's delinquency
5 in making the monthly payments required by this section does not result in the
6 termination of membership without such an election by the member."

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