

GENERAL ASSEMBLY OF NORTH CAROLINA  
SESSION 2009

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SENATE BILL 1059

Short Title: Provide COLAs for Retirees. (Public)

Sponsors: Senators Foriest; Apodaca, Atwater, Forrester, Goss, Jenkins, Jones, and Tillman.

Referred to: Pensions & Retirement & Aging.

March 31, 2009

1 A BILL TO BE ENTITLED  
2 AN ACT TO PROVIDE COST-OF-LIVING INCREASES FOR RETIREES OF THE  
3 TEACHERS' AND STATE EMPLOYEES' RETIREMENT SYSTEM, THE JUDICIAL  
4 RETIREMENT SYSTEM, AND THE LOCAL GOVERNMENTAL EMPLOYEES'  
5 RETIREMENT SYSTEM TO CLOSE THE GAP IN THE AVERAGE PERCENTAGE  
6 INCREASE BETWEEN THE CONSUMER PRICE INDEX AND THE AVERAGE  
7 INCREASE IN RETIREE COST-OF-LIVING ALLOWANCES OVER THE PAST FIVE  
8 YEARS.

9 The General Assembly of North Carolina enacts:

10 **SECTION 1.** G.S. 135-5 is amended by adding a new subsection to read:

11 "(sss) From and after July 1, 2009, the retirement allowance to or on account of  
12 beneficiaries whose retirement commenced on or before July 1, 2008, shall be increased by one  
13 and eighty-two hundredths percent (1.82%) of the allowance payable on June 1, 2009, in  
14 accordance with G.S. 135-5(o). Furthermore, from and after July 1, 2009, the retirement  
15 allowance to or on account of beneficiaries whose retirement commenced after July 1, 2008,  
16 but before June 30, 2009, shall be increased by a prorated amount of one and eighty-two  
17 hundredths percent (1.82%) of the allowance payable as determined by the Board of Trustees  
18 based upon the number of months that a retirement allowance was paid between July 1, 2007,  
19 and June 30, 2009."

20 **SECTION 2.** G.S. 135-65 is amended by adding a new subsection to read:

21 "(cc) From and after July 1, 2009, the retirement allowance to or on account of  
22 beneficiaries whose retirement commenced on or before July 1, 2008, shall be increased by one  
23 and eighty-two hundredths percent (1.82%) of the allowance payable on June 1, 2009.  
24 Furthermore, from and after July 1, 2009, the retirement allowance to or on account of  
25 beneficiaries whose retirement commenced after July 1, 2008, but before June 30, 2009, shall  
26 be increased by a prorated amount of one and eighty-two hundredths percent (1.82%) of the  
27 allowance payable as determined by the Board of Trustees based upon the number of months  
28 that a retirement allowance was paid between July 1, 2008, and June 30, 2009."

29 **SECTION 3.** G.S. 128-27 is amended by adding a new subsection to read:

30 "(hhh) From and after July 1, 2009, the retirement allowance to or on account of  
31 beneficiaries whose retirement commenced on or before July 1, 2008, shall be increased by one  
32 and eighty-two hundredths percent (1.82%) of the allowance payable on June 1, 2009, in  
33 accordance with subsection (k) of this section. Furthermore, from and after July 1, 2008, the  
34 retirement allowance to or on account of beneficiaries whose retirement commenced after July  
35 1, 2008, but before June 30, 2009, shall be increased by a prorated amount of one and  
36 eighty-two hundredths percent (1.82%) of the allowance payable as determined by the Board of



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1 Trustees based upon the number of months that a retirement allowance was paid between July  
2 1, 2008, and June 30, 2009."

3 **SECTION 4.** This act becomes effective July 1, 2009.