

GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2019

FILED SENATE
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S.B. 85
PRINCIPAL CLERK

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SENATE BILL DRS55017-MRp-19A*

Short Title: LEO Retirement & Higher Ed Enhancement Act. (Public)

Sponsors: Senator Steinburg (Primary Sponsor).

Referred to:

1 A BILL TO BE ENTITLED
2 AN ACT TO ALLOW FOR THE PURCHASE OF CREDITABLE SERVICE IN THE
3 TEACHERS' AND STATE EMPLOYEES' RETIREMENT SYSTEM OR THE LOCAL
4 GOVERNMENT EMPLOYEES' RETIREMENT SYSTEM AT FULL COST BY LAW
5 ENFORCEMENT OFFICERS HOLDING AN ADVANCED LAW ENFORCEMENT
6 CERTIFICATE.

7 The General Assembly of North Carolina enacts:

8 **SECTION 1.(a)** G.S. 135-4 is amended by adding a new subsection to read:

9 "(k1) Credit at Full Cost for Law Enforcement Officers Holding an Advanced Law
10 Enforcement Certificate. – Notwithstanding any other provisions of this Chapter, a member who
11 has completed at least five years of membership service and who has been awarded the Advanced
12 Law Enforcement Certificate issued by the Criminal Justice Education and Training Standards
13 Commission under the authority granted in Chapter 17C of the General Statutes may purchase
14 up to a total of two years' creditable service at any time on or after receipt of the Advanced Law
15 Enforcement Certificate. Purchases of service under this subsection shall not be subject to
16 subsection (b) of this section. Purchases of service under this subsection shall not be associated
17 with any specific compensation or period of time. The member shall purchase this service by
18 making a lump sum amount payable to the Annuity Savings Fund equal to the full liability of the
19 service credits calculated on the basis of the assumptions used for purposes of the actuarial
20 valuation of the liabilities of the Retirement System. The calculation of the amount payable shall
21 take into account the retirement allowance arising on account of the additional service credit
22 commencing at the earliest age at which the member could retire on an unreduced retirement
23 allowance, as determined by the Board of Trustees upon the advice of the consulting actuary,
24 plus an administrative fee to be set by the Board of Trustees. Notwithstanding the foregoing
25 provisions of this subsection that provide for the purchase of service credits, the terms "full cost"
26 and "full liability" include assumed annual postretirement allowance increases, as determined by
27 the Board of Trustees, from the earliest age at which a member could retire on an unreduced
28 service allowance."

29 **SECTION 1.(b)** G.S. 128-26 is amended by adding a new subsection to read:

30 "(z) Credit at Full Cost for Law Enforcement Officers Holding an Advanced Law
31 Enforcement Certificate. – Notwithstanding any other provisions of this Chapter, a member who
32 has completed at least five years of membership service and who has been awarded the Advanced
33 Law Enforcement Certificate issued by the Criminal Justice Education and Training Standards
34 Commission under the authority granted in Chapter 17C of the General Statutes may purchase
35 up to a total of two years' creditable service at any time on or after receipt of the Advanced Law
36 Enforcement Certificate. Purchases of service under this subsection shall not be subject to



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1 subsection (b) of this section. The purchased service shall not be associated with any specific
2 compensation or period of time. The member shall purchase this service by making a lump sum
3 amount payable to the Annuity Savings Fund equal to the full liability of the service credits
4 calculated on the basis of the assumptions used for purposes of the actuarial valuation of the
5 liabilities of the Retirement System. The calculation of the amount payable shall take into account
6 the retirement allowance arising on account of the additional service credit commencing at the
7 earliest age at which the member could retire on an unreduced retirement allowance, as
8 determined by the Board of Trustees upon the advice of the consulting actuary, plus an
9 administrative fee to be set by the Board of Trustees. Notwithstanding the foregoing provisions
10 of this subsection that provide for the purchase of service credits, the terms "full cost" and "full
11 liability" include assumed annual postretirement allowance increases, as determined by the Board
12 of Trustees, from the earliest age at which a member could retire on an unreduced service
13 allowance."

14 **SECTION 2.** This act is effective when it becomes law.