

NORTH CAROLINA GENERAL ASSEMBLY
1973 SESSION

CHAPTER 1221
HOUSE BILL 2104

AN ACT TO AMEND G.S. 135-28.1 RELATING TO DISTRICT COURT JUDGES UNDER
THE TEACHERS' AND STATE EMPLOYEES' RETIREMENT SYSTEM AND THE
UNIFORM JUDICIAL RETIREMENT SYSTEM.

The General Assembly of North Carolina enacts:

Section 1. G.S. 135-28.1, as the same appears in the 1973 Cumulative Supplement to Volume 3B of the General Statutes, is hereby amended by adding a new subsection at the end thereof, to be designated as subsection (e), and to read as follows:

"(e) When any judge of a district court division of the General Court of Justice shall have made application for disability retirement prior to January 1, 1974, while a member of this Retirement System to become effective after January 1, 1974, and such judge died before January 1, 1974, and there was filed with the application for disability retirement a statement by a physician that such judge was permanently and totally disabled, such person shall be deemed to have complied with all provisions of this Retirement System as of the date of application for disability retirement and no action of the medical board shall be necessary. He shall be presumed to have chosen Option 2 as to retirement benefits and survivor's benefits shall commence immediately and shall also be paid retroactively to the first day of the calendar month following such judge's death."

Sec. 2. This act shall become effective upon ratification.

In the General Assembly read three times and ratified, this the 8th day of April, 1974.