

NORTH CAROLINA GENERAL ASSEMBLY
1981 SESSION

CHAPTER 1284
HOUSE BILL 1340

AN ACT TO INCREASE THE RETIREMENT FORMULA IN THE LOCAL GOVERNMENTAL EMPLOYEES' RETIREMENT SYSTEM.

The General Assembly of North Carolina enacts:

Section 1. G.S. 128-27(b6) is amended by rewriting the words prior to the first semicolon to read:

"(b6) Service Retirement Allowance of Members Retiring on or after July 1, 1978, but prior to July 1, 1983. Upon retirement from service, in accordance with subsection (a) above, on or after July 1, 1978, but prior to July 1, 1983, a member shall receive a service retirement allowance computed as follows:"

Sec. 2. G.S. 128-27 is amended by adding a new subsection (b7) to read:

"(b7) Service Retirement Allowances of Members Retiring on or after July 1, 1983. Upon retirement from service, in accordance with subsection (a) above, on or after July 1, 1983, a member shall receive a service retirement allowance computed as follows:

(1) If the member's service retirement date occurs on or after his 65th birthday, regardless of his years of creditable service, or after the completion of 30 years of creditable service, such allowance shall be equal to one and fifty-seven one-hundredths percent (1.57%) of his average final compensation, multiplied by the number of years of his creditable service.

(2a) If the member's service retirement date occurs after his 60th and before his 65th birthday and prior to his completion of 30 or more years of creditable service, his retirement allowance shall be computed as in (1) above, but shall be reduced by one quarter of one percent (1/4 of 1%) thereof for each month by which his retirement date precedes the first day of the month coincident with or next following his 65th birthday.

(2b) If the member's service retirement date occurs before his 60th birthday and prior to his completion of 30 or more years of creditable service, his retirement allowance shall be the actuarial equivalent of the allowance payable at the age of 60 years as computed in (2a) above.

(3) Notwithstanding the foregoing provisions, any member whose creditable service commenced prior to July 1, 1965, and uniformed policemen or firemen not covered under the Social Security Act employed thereafter, shall receive not less than the benefits provided by G.S. 128-27(b)."

Sec. 3. This act shall become effective July 1, 1983.

In the General Assembly read three times and ratified, this the 22nd day of June, 1982.