

GENERAL ASSEMBLY OF NORTH CAROLINA  
1983 SESSION

CHAPTER 550  
HOUSE BILL 347

AN ACT TO AMEND CHAPTER 669 OF THE SESSION LAWS OF 1943, AS AMENDED, TO GIVE THE BOARD OF COMMISSIONERS OF THE COUNTY OF NEW HANOVER THE AUTHORITY TO TERMINATE THE RETIREMENT SYSTEM OF NEW HANOVER COUNTY, NORTH CAROLINA.

The General Assembly of North Carolina enacts:

Section 1. Chapter 669 of the Session Laws of 1943 is amended by adding a new section to read:

"Sec. 15. The Board of Commissioners of New Hanover County reserve the right to terminate the retirement system at any time. Such termination may be made without the consent of the Trustees, the members, retired members, their beneficiaries or any other persons.

Upon termination of the retirement system, as provided in the immediately preceding paragraph, the Board of Commissioners of New Hanover County shall deliver a written notice of termination of the retirement system to the Trustees.

In the event of a complete termination of the retirement system, all New Hanover County contributions and all mandatory employee contributions shall cease, and each member in the retirement system shall be fully vested and nonforfeitable in his accrued benefits to the extent funded but in no event will he be vested in more than his accrued benefits. In order to provide the benefits to which each member, retired member or beneficiary is entitled, a nontransferrable annuity contract equal in value to the amount the member or beneficiary would otherwise have been entitled shall be purchased for such individual. Any such annuity contracts shall be purchased from an insurance company licensed to do business in the State of North Carolina. If, following a complete termination of the retirement system, there are assets in the retirement fund after all liabilities to members, retired members and their beneficiaries have been satisfied, which are attributable to deviations in actuarial computations, and after an ensuing reduction for expenses of administration and liquidation of the retirement fund, such remaining assets shall revert to New Hanover County.

Upon completion of the steps specified above, the retirement system will be regarded as finally terminated, and no member, retired member, or beneficiary shall have any further right or claim to any benefits under the retirement system of New Hanover County."

Sec. 2. If any provision of this act shall be declared unconstitutional or invalid, it shall in no way invalidate any other provision.

Sec. 3. This act is effective upon ratification.

In the General Assembly read three times and ratified, this the 17th day of June, 1983.