

GENERAL ASSEMBLY OF NORTH CAROLINA
1987 SESSION

CHAPTER 1061
HOUSE BILL 85

AN ACT TO ALLOW A REFUND FROM THE TEACHERS' AND STATE
EMPLOYEES' RETIREMENT SYSTEM AND LOCAL GOVERNMENTAL
EMPLOYEES' RETIREMENT SYSTEM OF CERTAIN EXCESS
CONTRIBUTIONS TO MEMBERS IN RETIREMENT.

The General Assembly of North Carolina enacts:

Section 1. G.S. 135-5 is amended by adding a new subsection (f1) to read:

"(f1) Upon submission of an application, there shall be paid to any member at retirement or thereafter or surviving beneficiary of a member a refund of contributions not withdrawn with regular interest thereon, equal to (i) additional contributions made under the provisions of Section 2 of Chapter 1053 of the 1953 Session Laws of North Carolina with respect to membership service prior to 1953 and (ii) the contributions made at the rate of two percent (2%) of compensation not subject to coverage under the Social Security Act during the period January 1, 1955, to June 30, 1963; provided that such return of contributions shall be payable only if such contributions did not in any way benefit the member under the provisions of this Chapter."

Sec. 2. G.S. 128-27 is amended by adding a new subsection (f1) to read:

"(f1) Upon the submission of an application, there shall be paid to any member, or surviving beneficiary of a member, who was covered under this System and the Teachers' and State Employees' Retirement System for the same period of service a return of contributions not withdrawn with regular interest thereon, equal to the contributions made at the rate of two percent (2%) of compensation not subject to coverage under the Social Security Act during the period January 1, 1955, to June 30, 1965; provided that such return of contributions shall be payable only if such contribution did not in any way benefit the member under any provision of this Article."

Sec. 3. For the purpose of funding this act, the Boards of Trustees of the Teachers' and State Employees' and Local Governmental Employees' Retirement Systems shall set aside reserves in each Retirement System in the amount of one hundred thousand dollars (\$100,000) in each reserve, with such amounts payable from the unencumbered actuarial gains of each Retirement System resulting from the actuarial valuations for the year ended December 31, 1986.

Sec. 4. This act shall become effective July 1, 1988, through June 30, 1993.

In the General Assembly read three times and ratified this the 7th day of July, 1988.