

**GENERAL ASSEMBLY OF NORTH CAROLINA  
SESSION 2009**

**SESSION LAW 2010-120  
SENATE BILL 1392**

AN ACT TO ALLOW STATE EMPLOYEES TO ENROLL CHILDREN FOR WHICH  
THEY ARE COURT-APPOINTED GUARDIANS AS DEPENDENTS IN THE NORTH  
CAROLINA STATE HEALTH PLAN FOR TEACHERS AND STATE EMPLOYEES.

The General Assembly of North Carolina enacts:

**SECTION 1.** G.S. 135-45.1(10) reads as rewritten:

**"§ 135-45.1. General definitions.**

As used in this Article unless the context clearly requires otherwise, the following definitions apply:

- ...
- (10) Dependent child. – A natural, legally adopted, or foster child or children of the employee and or spouse, unmarried, up to the first of the month following his or her 19th birthday, whether or not the child is living with the employee, as long as the employee is legally responsible for such child's maintenance and support. Dependent child also includes a child for which an employee is a court-appointed guardian, as long as the employee is legally responsible for the child's maintenance and support. Dependent child also includes a stepchild of the member who is married to the stepchild's natural parent. To be eligible, the stepchild must have his or her primary residence with the member. Dependent child shall also include any child under age 19 who has reached his or her 18th birthday, provided the employee was legally responsible for such child's maintenance and support on his or her 18th birthday. Dependent children of firefighters, rescue squad workers, and members of the National Guard are subject to the same terms and conditions as are other dependent children covered by this subdivision. Eligibility of dependent children is subject to the requirements of G.S. 135-45.2(d). The Plan may require documentation from the member confirming a child's eligibility to be covered as the member's dependent."

**SECTION 2.** This act becomes effective July 1, 2010.

In the General Assembly read three times and ratified this the 8<sup>th</sup> day of July, 2010.

s/ Walter H. Dalton  
President of the Senate

s/ Joe Hackney  
Speaker of the House of Representatives

s/ Beverly E. Perdue



Governor

Approved 3:26 p.m. this 20<sup>th</sup> day of July, 2010