§ 135-165. Death benefit for in-service members.

(a) Eligibility. – A member who is not retired and who has completed at least one full year of membership in the Retirement System is a participant in, and eligible for death benefits under, the Death Benefit Plan in accordance with this section.

(b) Benefits Upon Death While in Service. – If a member eligible for benefits under this section dies while in service, then, upon receipt of proof of the death that is satisfactory to the Board of Trustees, a lump sum death benefit amount shall be paid.

(c) Death Benefit Amount. – Subject to a minimum of twenty-five thousand dollars ($25,000) and to a maximum of fifty thousand dollars ($50,000), the lump sum death benefit amount payable under this section is equal to the greater of the following amounts:

(1) The compensation on which contributions to the Retirement System were made by the member during the calendar year preceding the year in which the member's death occurred.

(2) The greatest compensation on which contributions to the Retirement System were made by the member during a 12-month period of service within the 24-month period of service ending on the last day of the month preceding the month in which the member's last day of actual service occurred.

(d) Members Deemed to be in Service. – For the purpose of this section, a member shall be deemed to be in service at the date of the member's death if the death occurs within 180 days from the last day of actual service, as determined in accordance with G.S. 135-170. (2025-11, ss. 1(a), (k)-(m), 3.)