

# Retirement

**See full summary documents for additional detail**

## **H115 - Retirement Technical Corrections Act of 2017. (SL 2017-125)**

S.L. 2017-125 makes technical and conforming changes to the laws governing the Teacher's and State Employees Retirement System (TSERS), the Local Government Employees' Retirement System (LGERS), and other related statutes. This act became effective July 20, 2017.

## **H159 - Charter School TSERS Election. (SL 2017-98)**

S.L. 2017-98 extends the time a charter school has to elect to become a participating employer in the Teachers' and State Employees' Retirement System (TSERS) from one year to two years. This act became effective August 1, 2017.

## **H176 - Pensions Integrity Act of 2017. (SL 2017-128)**

S.L. 2017-128 makes changes to assist in preventing and detecting fraud, waste, and abuse and ensure fiscal integrity of the Teachers' and State Employees' Retirement System (TSERS), the Retiree Health Benefit, and the Local Governmental Employees' Retirement System (LGERS). This act has various effective dates. Please see the full summary for more detail.

## **H183 - Retirement Admin. Changes Act of 2017. (SL 2017-129)**

S.L.2017-129 makes the following changes: addresses the recoupment of overpaid benefits or erroneous payments; amends retirement laws to reflect system funding policies and incorporate trust language from the Governmental Accounting Standards Board (GASB); permits electronic beneficiary designation; clarifies that TSERS is a multi-employer plan under GASB; creates a Legislative Enactment Implementation Arrangement (LEIA) to pay costs of legislative benefit changes; clarifies that unpaid State checks are confidential; allows public employers to make additional contributions to employee deferred compensation accounts; requires the overdrawn check fee be paid with non-State funds; standardizes the reporting of sick leave; and makes various technical changes. Statutes for the following systems and funds are amended by this act: Firefighters' and Rescue Squad Workers' Pension Fund, Teachers' and State Employees' Retirement System (TSERS), Local Governmental Employees' Retirement System (LGERS), Consolidated Judicial Retirement System (CJRS), Legislative Retirement System, Disability Income Plan, investment fund, Achieving a Better Life Experience (ABLE) Program Trust.

The effective dates for this act vary by section, please refer to the full analysis for the effective date of each section.

## **H190 - Local Firefighter Relief Fund Eligibility. (SL 2017-99)**

S.L. 2017-99 does the following: 1) removes the requirement that a firefighter serve for at least five years before being eligible to receive financial assistance from a local Firefighters' Relief Fund; 2) requires the North Carolina State Firefighters' Association to certify to the Department of Insurance a listing of local board of trustee members, including the chairman and treasurer; and 3) requires fire chiefs in certain districts to file a certificate of eligibility with the North Carolina State Firefighters' Association by January 31 or forfeit payment to that district's fund.

This act became effective July 1, 2017 and applies to distributions to local firefighters' relief funds on or after that date.

## **H299 - State Health Plan Administrative Changes. (SL 2017-135)**

S.L. 2017-135 makes administrative changes to statutes governing the North Carolina State Health Plan for Teachers and State Employees (Plan) to: 1) allow revocation of coverage for misrepresentations made by covered individuals regarding eligibility or enrollment; 2) clarify the premium split between the State and certain General Assembly retirees; 3) provide coverage to children newly born to existing covered employees; 4) provide members of the Board of Trustees with immunity from civil liability for most actions taken in their official capacity; 5) add a definition of "authorized representatives who are assisting the State Health Plan Division staff" to the definition section for the Plan; 6) add a new section to the Plan statutes pertaining to fraud and detection audit programs; 7) require the Department of Revenue to furnish certain tax, wage, or income information for a beneficiary to the Department of State Treasurer; 8) require that a retiree who is a prisoner serving an active sentence in the State prison system be covered by the State prison system health services rather than the Plan; and 9) provide for the recoupment of overpaid benefits or erroneous payments.

The section that pertains to coverage for newborns becomes effective October 1, 2017, and applies to children born to covered employees on or after that date. The remainder of the act became effective July 20, 2017.

## **S257 - Appropriations Act of 2017.**

### **Sec. 35.19A: Provide Cost-of-Living Adjustment for Retirees of the Teachers' and State Employees' Retirement System, the Consolidated Judicial Retirement System, and the Legislative Retirement System. (SL 2017-57)**

Sec. 35.19A of S.L. 2017-57 provides a cost-of-living adjustment for retirees of the Teachers' and State Employees' Retirement System, the Consolidated Judicial Retirement System, and the Legislative Retirement System.

This section became effective July 1, 2017.

**S257 - Appropriations Act of 2017.**

**Sec. 35.19B: Enhance the Benefits of Probation/Parole Officers who are Members of the Teachers' and State Employees' Retirement System. (SL 2017-57)**

Section 35.19B of S.L. 2017-57 enhances the benefits of probation/parole officers who are members of the Teachers' and State Employees' Retirement System.

This section became effective July 1, 2017, and applies to persons retiring on or after that date.

**S257 - Appropriations Act of 2017.**

**Sec. 35.21: Study State Employee Total Compensation/Reduce Long-Term Unfunded Health Care Liabilities . (SL 2017-57)**

Section 35.21 of S.L. 2017-57 creates a study committee to study state employee total compensation and makes changes to reduce long-term unfunded health care liabilities.

The provisions establishing the committee and its membership became effective July 1, 2017. The provisions relating to retiree eligibility become effective January 1, 2021.

**S384 - Criminal Law Changes. (SL 2017-176)**

S.L. 2017-176 makes the following changes to laws related to criminal law and procedure:

- Makes various changes in the law relating to motions for appropriate relief under Chapter 15A of the General Statutes, as recommended by the North Carolina Courts Commission, and makes clarifying and technical changes to G.S. 7A-451 regarding the entitlement of an indigent person to services of counsel.
- Clarifies what prior criminal convictions may be used to establish habitual felon status and removes the sunset on driver's license eligibility for persons convicted of habitual impaired driving.
- Adds the offense of felony breaking or entering with intent to terrorize or injure to the list of offenses defined as "breaking and entering" for purposes of habitual breaking and entering.
- Creates a process to insure that defendants subject to the fingerprint requirement get fingerprinted.
- Amends the law regarding arrest and Citizen's Warrants.
- Amends the Sheriff's Supplemental Pension Fund.

This act has various effective dates and applicability provisions. Please see the full summary for more detail.