

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1995

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SENATE BILL 992

Short Title: Amend LEO Retirement Definition.

(Public)

Sponsors: Senators Rand, Perdue, Plyler, and Hobbs.

Referred to: Pensions and Retirement/Insurance/State Personnel

May 4, 1995

A BILL TO BE ENTITLED

1
2 AN ACT AMENDING THE DEFINITION OF LAW ENFORCEMENT OFFICER FOR
3 THE PURPOSES OF ELIGIBILITY FOR BENEFITS UNDER THE NORTH
4 CAROLINA LOCAL GOVERNMENTAL EMPLOYEES' RETIREMENT SYSTEM
5 AND THE TEACHERS' AND STATE EMPLOYEES' RETIREMENT SYSTEM OF
6 NORTH CAROLINA.

7 The General Assembly of North Carolina enacts:

8 Section 1. G.S. 128-21(11b) reads as rewritten:

9 "~~(11b) 'Law Enforcement Officer' means a full-time paid employee of an~~
10 ~~employer who is actively serving in a position with assigned primary~~
11 ~~duties and responsibilities for prevention and detection of crime or for~~
12 ~~the general enforcement of the criminal laws of the State or for serving~~
13 ~~civil processes, and possesses the power of arrest by virtue of an oath~~
14 ~~administered under the authority of the State. possesses the power of~~
15 ~~arrest, who has taken the law enforcement officer oath administered~~
16 ~~under the authority of the State as prescribed by G.S. 11-11, and who is~~
17 ~~certified under the provisions of Chapter 17C or Chapter 17E of the~~
18 ~~General Statutes. 'Law enforcement officer' also means the sheriff of a~~
19 ~~county, the Director of the State Bureau of Investigation of the~~
20 ~~Department of Justice, the Director of the Alcohol Law Enforcement~~

1 Division of the Department of Crime Control and Public Safety, and the
2 Commissioner of Motor Vehicles of the Department of Transportation.
3 'Law enforcement officer' shall also mean all members of the North
4 Carolina Local Governmental Employees' Retirement System or the
5 Teachers' and State Employees' Retirement System of North Carolina
6 reported by their employers as law enforcement officers on July 1,
7 1995."

8 Sec. 2. G.S. 135-1(11b) reads as rewritten:

9 "(11b) 'Law-Enforcement Officer' means a full-time paid employee of an
10 employer who is ~~actively serving in a position with assigned primary~~
11 ~~duties and responsibilities for prevention and detection of crime or the~~
12 ~~general enforcement of the criminal laws of the State of North Carolina~~
13 ~~or serving civil processes, and who possesses the power of arrest by~~
14 ~~virtue of an oath administered under the authority of the State. possesses~~
15 ~~the power of arrest, who has taken the law enforcement officer oath~~
16 ~~administered under the authority of the State as prescribed by G.S. 11-~~
17 ~~11, and who is certified under the provisions of Chapter 17C or Chapter~~
18 ~~17E of the General Statutes. 'Law enforcement officer' also means the~~
19 ~~sheriff of a county, the Director of the State Bureau of Investigation of~~
20 ~~the Department of Justice, the Director of the Alcohol Law Enforcement~~
21 ~~Division of the Department of Crime Control and Public Safety, and the~~
22 ~~Commissioner of Motor Vehicles of the Department of Transportation.~~
23 'Law enforcement officer' shall also mean all members of the North
24 Carolina Local Governmental Employees' Retirement System or the
25 Teachers' and State Employees' Retirement System of North Carolina
26 reported by their employers as law enforcement officers on July 1,
27 1995."

28 Sec. 3. G.S. 143-166.30(a)(4) reads as rewritten:

29 "(4) 'Law-enforcement officer' means a full-time paid employee of an
30 employer who is ~~actively serving in a position with assigned primary~~
31 ~~duties and responsibilities for prevention and detection of crime or the~~
32 ~~general enforcement of the criminal laws of the State or serving civil~~
33 ~~processes, and who possesses the power of arrest by virtue of an oath~~
34 ~~administered under the authority of the State. possesses the power of~~
35 ~~arrest, who has taken the law enforcement officer oath administered~~
36 ~~under the authority of the State as prescribed by G.S. 11-11, and who is~~
37 ~~certified under the provisions of Chapter 17C or Chapter 17E of the~~
38 ~~General Statutes. 'Law enforcement officer' also means the sheriff of a~~
39 ~~county, the Director of the State Bureau of Investigation of the~~
40 ~~Department of Justice, the Director of the Alcohol Law Enforcement~~
41 ~~Division of the Department of Crime Control and Public Safety, and the~~
42 ~~Commissioner of Motor Vehicles of the Department of Transportation.~~
43 'Law enforcement officer' shall also mean all members of the North

1 Carolina Local Governmental Employees' Retirement System or the
2 Teachers' and State Employees' Retirement System of North Carolina
3 reported by their employers as law enforcement officers on July 1,
4 1995."

5 Sec. 4. G.S. 143-166.50(a)(3) reads as rewritten:

6 "(3) 'Law-enforcement officer' means a full-time paid employee of an
7 employer, who ~~is actively serving in a position with assigned primary~~
8 ~~duties and responsibilities for prevention and detection of crime or the~~
9 ~~general enforcement of the criminal laws of the State or serving civil~~
10 ~~processes, and who possesses the power of arrest by virtue of an oath~~
11 ~~administered under the authority of the State. possesses the power of~~
12 arrest, who has taken the law enforcement officer oath administered
13 under the authority of the State as prescribed by G.S. 11-11, and who is
14 certified under the provisions of Chapter 17C or Chapter 17E of the
15 General Statutes. 'Law enforcement officer' also means the sheriff of a
16 county, the Director of the State Bureau of Investigation of the
17 Department of Justice, the Director of the Alcohol Law Enforcement
18 Division of the Department of Crime Control and Public Safety, and the
19 Commissioner of Motor Vehicles of the Department of Transportation.
20 'Law enforcement officer' shall also mean all members of the North
21 Carolina Local Governmental Employees' Retirement System or the
22 Teachers' and State Employees' Retirement System of North Carolina
23 reported by their employers as law enforcement officers on July 1,
24 1995."

25 Sec. 5. This act is effective upon ratification and applies to all persons enrolled
26 in the North Carolina Local Governmental Employees' Retirement System or the
27 Teachers' and State Employees' Retirement System of North Carolina on or after that
28 date.