

**GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2001**

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HOUSE BILL 1140

Short Title: NC National Guard Pensions.

(Public)

Sponsors: Representatives Sexton, Owens, Baddour; Morris, Mitchell, and Davis.

Referred to: Pensions and Retirement.

April 12, 2001

A BILL TO BE ENTITLED

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2 AN ACT TO MODIFY THE TERMS AND CONDITIONS OF NORTH CAROLINA
3 NATIONAL GUARD PENSIONS TO PROVIDE FOR CONTINUED
4 PAYMENTS TO A DECEASED INDIVIDUAL'S SPOUSE.

5 The General Assembly of North Carolina enacts:

6 **SECTION 1.** G.S. 127A-40(b) reads as rewritten:

7 "(b) Payment to a retired member of the North Carolina national guard under the
8 provisions of this section will cease at the death of the ~~individual and no payment will~~
9 ~~be made to beneficiaries or to the decedent's estate.~~ individual. Payments shall continue,
10 in the same amount, to the spouse, if any, of the deceased individual in the same manner
11 as the pension is paid to the spouse of a deceased individual who was entitled to retired
12 pay for nonregular service at the time of his death under the applicable provisions of the
13 United States Code."

14 **SECTION 2.** The Secretary of Crime Control and Public Safety shall report
15 to the Joint Legislative Commission on Governmental Operations, prior to April 1,
16 2002, on any additional statutory provisions needed to implement Section 1 of this act.

17 **SECTION 3.** This act becomes effective July 1, 2002.