

**GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2003**

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HOUSE BILL 1031

Short Title: LEO Creditable Service/Workers' Compensation. (Public)

Sponsors: Representatives Glazier, Eddins (Primary Sponsors); L. Allen, Bordsen, Carney, Gibson, Jeffus, Parmon, and Ross.

Referred to: Occupational Safety and Health.

April 10, 2003

A BILL TO BE ENTITLED

1 AN ACT TO PROVIDE THAT CREDITABLE SERVICE FOR LAW
2 ENFORCEMENT OFFICERS IN THE LOCAL GOVERNMENTAL
3 EMPLOYEES' RETIREMENT SYSTEM SHALL INCLUDE PERIODS OF
4 EMPLOYER-APPROVED LEAVES OF ABSENCE WHEN IN RECEIPT OF
5 WORKERS' COMPENSATION BENEFITS AS A RESULT OF INJURY
6 INCURRED IN THE LINE OF DUTY.
7

8 The General Assembly of North Carolina enacts:

9 **SECTION 1.** G.S. 128-26(l) is repealed.

10 **SECTION 2.** G.S. 128-26(g) reads as rewritten:

11 "(g) ~~During-Except as provided in subsection (g1) of this section,~~ during periods
12 when a member is on leave of absence and is receiving less than his full compensation,
13 he will be deemed to be in service only if he is contributing to the Retirement System as
14 provided in G.S. 128-30(b)(4). If he is so contributing, the annual rate of compensation
15 paid to such employee immediately before the leave of absence began will be deemed to
16 be the actual compensation rate of the employee during the leave of absence."

17 **SECTION 3.** G.S. 128-26 is amended by adding a new subsection to read:

18 "(g1) Creditable service at retirement shall include any periods of employer-
19 approved leaves of absence when a member who is a law enforcement officer is in
20 receipt of benefits under the Workers' Compensation Act as a result of injury incurred in
21 the line of duty, and the employer shall make both the employer and employee
22 contributions during those periods."

23 **SECTION 4.** This act is effective when it becomes law.