GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 2005

H **1**

HOUSE BILL 1497

Short Title:	Elected Officials/Local Retirement.	(Public)
Sponsors:	Representative Rhodes.	
Referred to:	Pensions and Retirement, if favorable, Rules, Calendar, and Operations of the House.	

April 21, 2005

A BILL TO BE ENTITLED

AN ACT TO INCLUDE ELECTED OFFICIALS IN THE LOCAL GOVERNMENTAL EMPLOYEES' RETIREMENT SYSTEM.

The General Assembly of North Carolina enacts:

SECTION 1. G.S. 128-21(10) reads as rewritten:

"(10) "Employee" shall mean any person who is regularly employed in the service of and whose salary or compensation is paid by the employer as defined in subdivision (11) of this section, whether ~~employed or appointed~~ <u>employed, appointed, or elected</u> for stated terms or otherwise, except teachers in the public ~~schools and except such employees who hold office by popular election as are not required to devote a major portion of their time to the duties of their office.~~ <u>schools.</u> "Employee" also means all full-time, paid firemen who are employed by any fire department that serves a city or county or any part of a city or county and that is supported in whole or in part by municipal or county funds. In all cases of doubt the Board of Trustees shall decide who is an employee. On and after August 1, 2001, a person who is a nonimmigrant alien and who otherwise meets the requirements of this subdivision shall not be excluded from the definition of "employee" solely because the person holds a temporary or time-limited visa."

SECTION 2. This act becomes effective July 1, 2005.