

**GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2011**

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HOUSE BILL 263

Short Title: Retirement Allowance/Remarriage Option. (Public)

Sponsors: Representative Cook (Primary Sponsor).
For a complete list of Sponsors, see Bill Information on the NCGA Web Site.

Referred to: State Personnel.

March 9, 2011

A BILL TO BE ENTITLED

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2 AN ACT TO ALLOW CERTAIN RETIRED MEMBERS OF THE TEACHERS' AND
3 STATE EMPLOYEES' RETIREMENT SYSTEM AND THE LOCAL
4 GOVERNMENTAL EMPLOYEES' RETIREMENT SYSTEM WHO REMARRIED
5 PRIOR TO THE EFFECTIVE DATE OF A TECHNICAL CORRECTION TO THE
6 RETIREMENT LAWS TO NOMINATE THEIR NEW SPOUSES TO RECEIVE THE
7 SURVIVOR BENEFITS IN ACCORDANCE WITH THAT TECHNICAL
8 CORRECTION.

9 The General Assembly of North Carolina enacts:

10 **SECTION 1.** Notwithstanding any other provision of law, a retired member of the
11 Teachers' and State Employees' Retirement System or the Local Governmental Employees'
12 Retirement System (i) who designated a spouse as survivor under Option 5 as set forth in
13 G.S. 135-5(g) or G.S. 128-27(g), (ii) whose designated spouse predeceased him or her, and (iii)
14 who remarried prior to the enactment of S.L. 2010-72 may nominate the new spouse to receive
15 the survivor retirement benefits in accordance with G.S. 135-5(g) or G.S. 128-27(g), provided
16 that nomination is made within 90 days of the effective date of this act.

17 **SECTION 2.** This act is effective when it becomes law.

