

GENERAL ASSEMBLY OF NORTH CAROLINA  
SESSION 2013

SESSION LAW 2013-291  
HOUSE BILL 391

AN ACT TO AMEND THE DEFINITION OF RETIREMENT TO CLARIFY THAT SERVICE AS A MEMBER OF THE BOARD OF TRUSTEES OF A COMMUNITY COLLEGE, AS A MEMBER OF A BOARD OF TRUSTEES OF A CONSTITUENT INSTITUTION OF THE UNIVERSITY OF NORTH CAROLINA, OR AS A VOLUNTEER GUARDIAN AD LITEM IN THE GUARDIAN AD LITEM PROGRAM IS NOT CONSIDERED SERVICE FOR THE PURPOSES OF THAT DEFINITION.

The General Assembly of North Carolina enacts:

**SECTION 1.** G.S. 135-1(20) reads as rewritten:

"(20) "Retirement" means the termination of employment and the complete separation from active service with no intent or agreement, express or implied, to return to service. A retirement allowance under the provisions of this Chapter may only be granted upon retirement of a member. In order for a member's retirement to become effective in any month, the member must render no service, including part-time, temporary, substitute, or contractor service, at any time during the six months immediately following the effective date of retirement. For purposes of this subdivision, service as a member of a school ~~board~~board, board of trustees of a community college, board of trustees of any constituent institution of The University of North Carolina, or as an unpaid bona fide volunteer in a local school administrative unit-unit, or as an unpaid bona fide volunteer guardian ad litem in the guardian ad litem program shall not be considered service. A member who is a full-time faculty member of The University of North Carolina may effect a retirement allowance under this Chapter, notwithstanding the six-month requirement above, provided the member immediately enters the University's Phased Retirement Program for Tenured Faculty as that program existed on May 25, 2011."

**SECTION 2.** This act becomes effective July 1, 2013.

In the General Assembly read three times and ratified this the 10<sup>th</sup> day of July, 2013.

s/ Daniel J. Forest  
President of the Senate

s/ Thom Tillis  
Speaker of the House of Representatives

s/ Pat McCrory  
Governor

Approved 6:16 p.m. this 18<sup>th</sup> day of July, 2013



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