



**NORTH CAROLINA GENERAL ASSEMBLY
AMENDMENT
House Bill 469**

AMENDMENT NO. _____
(to be filled in by
Principal Clerk)

H469-ATVp-36 [v.3]

Page 1 of 2

Amends Title [NO]
Third Edition

Date _____, 2019

Senator Wells

1 moves to amend the bill on page 4, line 15 by deleting the word "technical" from the line;

2
3 and on page 4, lines 22-23 by inserting the following between the lines:

4 "SECTION 1.1 G.S. 135-9(a) reads as rewritten:

5 "(a) Except for the applications of the provisions of G.S. 110-136, and G.S. 110-136.3 et
6 seq., and in connection with a court-ordered equitable distribution under G.S. 50-20, the right of
7 a person to a pension, or annuity, or a retirement allowance, to the return of contributions, the
8 pension, annuity or retirement allowance itself, any optional benefit or any other right accrued or
9 accruing to any person under the provisions of this Chapter, and the moneys in the various funds
10 created by this Chapter, are exempt from levy and sale, garnishment, attachment, or any other
11 process whatsoever, and shall be unassignable except as in this Chapter specifically otherwise
12 provided. ~~Application~~ Notwithstanding any provisions to the contrary, application for System
13 approval of a domestic relations order dividing a person's interest under the Retirement System
14 shall be accompanied by an order consistent with the system-designed template order provided
15 on the System's Web site. ~~For~~ Notwithstanding any provisions to the contrary, the Retirement
16 System shall only make payment of a share of the member's retirement benefits to the member's
17 former spouse based upon a domestic relations order, and the former spouse shall not be
18 permitted to receive a share of the member's retirement benefits until the member begins to
19 receive the benefits, consistent with the system-designed template order. Notwithstanding any
20 provisions to the contrary, the former spouse shall not be entitled to any type or form of benefit
21 or any option not otherwise available to the member. Notwithstanding any provisions to the
22 contrary, for orders entered on or after January 1, 2015, payment to a member's former spouse
23 pursuant to any such domestic relations order shall be limited to the lifetime of that former spouse
24 and, upon the death of that former spouse, the former spouse's share shall revert to the member."

25 SECTION 1.2 G.S. 128-31(a) reads as rewritten:

26 "(a) Except for the applications of the provisions of G.S. 110-136, and G.S. 110-136.3 et
27 seq., and in connection with a court-ordered equitable distribution under G.S. 50-20, the right of
28 a person to a pension, an annuity, or a retirement allowance, to the return of contributions, the
29 pension, annuity or retirement allowance itself, any optional benefit or any other right accrued or
30 accruing to any person under the provisions of this Article, and the moneys in the various funds
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14
15

SIGNED _____
Amendment Sponsor

SIGNED _____
Committee Chair if Senate Committee Amendment

ADOPTED _____ FAILED _____ TABLED _____