

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1997

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HOUSE BILL 1111

Short Title: Amend LEO Retirement Def'n.

(Public)

Sponsors: Representatives McMahan; Berry, Black, Buchanan, Creech, Culp, Cunningham, Dockham, Earle, Easterling, Gulley, Kiser, McCombs, Mitchell, Rayfield, Saunders, Sexton, Starnes, and Tallent.

Referred to: Pensions and Retirement, if favorable, Appropriations.

April 21, 1997

1 A BILL TO BE ENTITLED
2 AN ACT TO AMEND THE DEFINITION OF LAW ENFORCEMENT OFFICER FOR
3 PURPOSES OF ELIGIBILITY FOR BENEFITS UNDER THE LOCAL
4 GOVERNMENTAL EMPLOYEES' RETIREMENT SYSTEM.

5 The General Assembly of North Carolina enacts:

6 Section 1. G.S. 128-21(11b) reads as rewritten:

7 "(11b)'Law Enforcement Officer' means a full-time paid employee of an
8 ~~employer who is actively serving in a position with assigned primary~~
9 ~~duties and responsibilities for prevention and detection of crime or for~~
10 ~~the general enforcement of the criminal laws of the State or for serving~~
11 ~~civil processes, and who possesses the power of arrest by virtue of an~~
12 ~~oath administered under the authority of the State.~~ employer, who
13 possesses the power of arrest, who has taken the law enforcement oath
14 administered under the authority of the State as prescribed by G.S. 11-
15 11, and who is certified as a law enforcement officer under the
16 provisions of Chapter 17C of the General Statutes or certified as a
17 deputy sheriff under the provisions of Chapter 17E of the General
18 Statutes. 'Law enforcement officer' also means the sheriff of the county.

1 The number of paid personnel employed as law enforcement officers by
2 a law enforcement agency may not exceed the number of law
3 enforcement positions approved by the applicable local governing
4 board."

5 Section 2. G.S. 143-166.50(a)(3) reads as rewritten:

6 "(3) 'Law-enforcement officer' means a full-time paid employee of an
7 employer, ~~who is actively serving in a position with assigned primary~~
8 ~~duties and responsibilities for prevention and detection of crime or the~~
9 ~~general enforcement of the criminal laws of the State or serving civil~~
10 ~~processes, and who possesses the power of arrest by virtue of an oath~~
11 ~~administered under the authority of the State. possesses the power of~~
12 arrest, who has taken the law enforcement oath administered under the
13 authority of the State as prescribed by G.S. 11-11, and who is certified
14 as a law enforcement officer under the provisions of Chapter 17C of the
15 General Statutes or certified as a deputy sheriff under the provisions of
16 Chapter 17E of the General Statutes. 'Law enforcement officer' also
17 means the sheriff of the county. The number of paid personnel
18 employed as law enforcement officers by a law enforcement agency
19 may not exceed the number of law enforcement positions approved by
20 the applicable local governing board."

21 Section 3. This act becomes effective July 1, 1997, and applies to all persons
22 enrolled in the Local Governmental Employees' Retirement System on or after that date.