

**GENERAL ASSEMBLY OF NORTH CAROLINA  
SESSION 2003**

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**SENATE BILL 670**

Short Title: Creditable Service/Workers' Compensation.

(Public)

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Sponsors: Senator Hartsell.

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Referred to: Commerce.

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April 2, 2003

A BILL TO BE ENTITLED

1 AN ACT TO PROVIDE THAT CREDITABLE SERVICE IN THE LOCAL  
2 GOVERNMENTAL EMPLOYEES' RETIREMENT SYSTEM SHALL INCLUDE  
3 PERIODS OF EMPLOYER-APPROVED LEAVES OF ABSENCE WHEN IN  
4 RECEIPT OF WORKERS' COMPENSATION BENEFITS.  
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6 The General Assembly of North Carolina enacts:

7 **SECTION 1.** G.S. 128-26(l) is repealed.

8 **SECTION 2.** G.S. 128-26(g) reads as rewritten:

9 "(g) ~~During~~ Except as provided in subsection (g1) of this section, during periods  
10 when a member is on leave of absence and is receiving less than his full compensation,  
11 he will be deemed to be in service only if he is contributing to the Retirement System as  
12 provided in G.S. 128-30(b)(4). If he is so contributing, the annual rate of compensation  
13 paid to such employee immediately before the leave of absence began will be deemed to  
14 be the actual compensation rate of the employee during the leave of absence."

15 **SECTION 3.** G.S. 128-26 is amended by adding a new subsection to read:

16 "(g1) Creditable service at retirement shall include any periods of employer-  
17 approved leaves of absence when the member is in receipt of benefits under the  
18 Workers' Compensation Act, and the employer shall make both the employer and  
19 employee contributions during those periods."

20 **SECTION 4.** This act is effective when it becomes law.