

GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2023

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SENATE BILL 113

Short Title: Bring Back Our Heroes.

(Public)

Sponsors: Senators Britt, Perry, and B. Newton (Primary Sponsors).

Referred to: Rules and Operations of the Senate

February 16, 2023

1 A BILL TO BE ENTITLED
2 AN ACT ALLOWING LAW ENFORCEMENT OFFICERS TO RECEIVE RETIREMENT
3 BENEFITS AND SUBSEQUENTLY RETURN TO SERVICE.

4 The General Assembly of North Carolina enacts:

5 **SECTION 1.** G.S. 128-24 is amended by adding a new subdivision to read:

6 "(5b) Notwithstanding sub-subdivisions c. and d. of subdivision (5) of this section
7 to the contrary, a beneficiary who retires on an early or service retirement as
8 a law enforcement officer, or as a justice officer as defined in G.S. 17E-2,
9 shall continue to be paid their retirement allowance without restriction even if
10 the beneficiary is subsequently employed as a law enforcement officer or
11 justice officer as long as the employment follows a break in service of not less
12 than one month and the employer pays into this Retirement System an amount
13 equal to both the members' and employers' contributions required by law for
14 the duration of the employment. Service by a beneficiary under this
15 subdivision shall not count as membership service or increase the beneficiary's
16 retirement benefits under this Retirement System."

17 **SECTION 2.** G.S. 135-3 is amended by adding a new subdivision to read:

18 "(8b) Notwithstanding sub-subdivisions c. and d. of subdivision (8) of this section
19 to the contrary, a beneficiary who retires on an early or service retirement as
20 a law enforcement officer shall continue to be paid their retirement allowance
21 without restriction even if the beneficiary is subsequently employed as a law
22 enforcement officer, as long as the employment follows a break in service of
23 not less than six months and the employer pays into this Retirement System
24 an amount equal to both the members' and employers' contributions required
25 by law for the duration of the employment. Service by a beneficiary under this
26 subdivision shall not count as membership service or increase the beneficiary's
27 retirement benefits under this Retirement System."

28 **SECTION 3.** This act is effective when it becomes law.

