

GENERAL ASSEMBLY OF NORTH CAROLINA  
SESSION 2003

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HOUSE BILL 1711

Short Title: LEO Creditable Service/Workers' Compensation. (Public)

Sponsors: Representatives Glazier, Eddins (Primary Sponsors); Bordsen, Dickson, Gibson, Insko, Rapp, and Wainwright.

Referred to: Pensions and Retirement.

May 27, 2004

A BILL TO BE ENTITLED

AN ACT TO PROVIDE THAT CREDITABLE SERVICE FOR LAW ENFORCEMENT OFFICERS IN THE LOCAL GOVERNMENTAL EMPLOYEES' RETIREMENT SYSTEM SHALL INCLUDE PERIODS OF EMPLOYER-APPROVED LEAVES OF ABSENCE WHEN IN RECEIPT OF WORKERS' COMPENSATION BENEFITS AS A RESULT OF CERTAIN INJURIES INCURRED IN THE LINE OF DUTY.

The General Assembly of North Carolina enacts:

**SECTION 1.** G.S. 128-26(g) reads as rewritten:

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

**SECTION 2.** G.S. 128-26 is amended by adding a new subsection to read:

"(g1) Creditable service at retirement shall include a period of up to one year of employer-approved leaves of absence when a member who is a law enforcement officer is in receipt of benefits under the Workers' Compensation Act as a result of injury incurred in the line of duty, by another person's felonious criminal action through the use of a deadly weapon. In that case, the employer shall make the employer contribution during those periods, and may also make the employee contribution during those periods, but is not required to do so."

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