

**GENERAL ASSEMBLY OF NORTH CAROLINA**  
**SESSION 2007**

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**HOUSE BILL 1414**

Short Title: Creditable Service/Employees in Armed Forces. (Public)

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Sponsors: Representatives Martin, Coleman, J. Harrell, T. Harrell (Primary Sponsors); Bryant, Faison, Glazier, Grady, Hall, Harrison, Hurley, Moore, Pate, Pierce, Samuelson, Thomas, Wainwright, and Walker.

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Referred to: Homeland Security, Military and Veterans Affairs, if favorable, Pensions and Retirement.

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April 12, 2007

A BILL TO BE ENTITLED

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2 AN ACT TO REVISE THE LAW PROVIDING FOR CREDITABLE SERVICE IN  
3 THE TEACHERS' AND STATE EMPLOYEES' RETIREMENT SYSTEM FOR  
4 MEMBERS WHO SERVED IN THE ARMED FORCES OF THE UNITED  
5 STATES.

6 The General Assembly of North Carolina enacts:

7 **SECTION 1.** G.S. 135-4(g) reads as rewritten:

8 "(g) Teachers and other State employees who served in the armed forces of  
9 the United States and who, after being honorably discharged, returned  
10 to the service of the State within a period of two years from date of  
11 discharge shall be credited with prior service for such period of service  
12 in the armed forces of the United States; ~~and the salaries or~~  
13 ~~compensations paid to such employees immediately before entering~~  
14 ~~the armed forces shall be deemed to be the actual compensation rates~~  
15 ~~of such teachers and State employees during said period of service.~~  
16 States, for the maximum period that they are entitled to reemployment  
17 under the Uniformed Services Employment and Reemployment Rights  
18 Act of 1994, 38 U.S.C. §4301 et seq. or other federal law, and the  
19 salary or compensation of such a teacher or State employee during that  
20 period of service is deemed to be that salary or compensation the  
21 employee would have received but for the period of service had the  
22 employee remained continuously employed, if the determination of  
23 that salary or compensation is reasonably certain. If the determination  
24 of the salary or compensation is not reasonably certain, then it is  
25 deemed to be that employee's average rate of compensation during the  
26 12-month period immediately preceding the period of service."

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**SECTION 2.** This act becomes effective July 1, 2007.