

GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2007

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HOUSE BILL 1414
Committee Substitute Favorable 5/23/07

Short Title: Creditable Service/Uniformed Serv. Employees.

(Public)

Sponsors:

Referred to:

April 12, 2007

A BILL TO BE ENTITLED

AN ACT TO REVISE THE LAW PROVIDING FOR CREDITABLE SERVICE IN
THE TEACHERS' AND STATE EMPLOYEES' RETIREMENT SYSTEM FOR
MEMBERS WHO SERVED IN THE UNIFORMED SERVICES.

The General Assembly of North Carolina enacts:

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

"(g) Teachers and other State employees who served in the ~~armed forces of the United States-uniformed services~~ as defined in the Uniformed Services Employment and Reemployment Rights Act of 1994, 38 U.S.C. § 4303, and who, after being honorably discharged, returned to the service of the State within a period of two years from date of discharge shall be credited with prior service for such period of service in the ~~armed forces of the United States~~; and the salaries or compensations paid to such employees immediately before entering the ~~armed forces~~ shall be deemed to be the actual compensation rates of such teachers and State employees during said period of service. uniformed services for the maximum period that they are entitled to reemployment under the Uniformed Services Employment and Reemployment Rights Act of 1994, 38 U.S.C. § 4301, et seq., or other federal law, and the salary or compensation of such a teacher or State employee during that period of service is deemed to be that salary or compensation the employee would have received but for the period of service had the employee remained continuously employed, if the determination of that salary or compensation is reasonably certain. If the determination of the salary or compensation is not reasonably certain, then it is deemed to be that employee's average rate of compensation during the 12-month period immediately preceding the period of service."

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