

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1997

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SENATE BILL 673

Pensions & Retirement and Insurance Committee Substitute Adopted 4/28/97

Short Title: Amend LEO Retirement Def'n.

(Public)

Sponsors:

Referred to:

April 2, 1997

A BILL TO BE ENTITLED  
AN ACT TO AMEND THE DEFINITION OF LAW ENFORCEMENT OFFICER FOR  
PURPOSES OF ELIGIBILITY FOR BENEFITS UNDER THE LOCAL  
GOVERNMENTAL EMPLOYEES' RETIREMENT SYSTEM.

The General Assembly of North Carolina enacts:

Section 1. G.S. 128-21(11b) reads as rewritten:

"(11b) 'Law Enforcement Officer' means a full-time paid employee of an employer who is actively serving in a position with assigned primary duties and responsibilities for prevention and detection of crime or for the general enforcement of the criminal laws of the State or for serving civil processes, and who possesses the power of arrest by virtue of an oath administered under the authority of the State. employer, who possesses the power of arrest, who has taken the law enforcement oath administered under the authority of the State as prescribed by G.S. 11-11, and who is certified as a law enforcement officer under the provisions of Chapter 17C of the General Statutes or certified as a deputy sheriff under the provisions of Chapter 17E of the General Statutes. 'Law enforcement officer' also means the sheriff of the county. The number of paid personnel employed as law enforcement officers by

1            a law enforcement agency may not exceed the number of law  
2            enforcement positions approved by the applicable local governing  
3            board."

4            Section 2. G.S. 143-166.50(a)(3) reads as rewritten:

5            "(3) 'Law-enforcement officer' means a full-time paid employee of an  
6            employer, who is ~~actively serving in a position with assigned primary~~  
7            ~~duties and responsibilities for prevention and detection of crime or the~~  
8            ~~general enforcement of the criminal laws of the State or serving civil~~  
9            ~~processes, and who possesses the power of arrest by virtue of an oath~~  
10           ~~administered under the authority of the State.~~ possesses the power of  
11           arrest, who has taken the law enforcement oath administered under the  
12           authority of the State as prescribed by G.S. 11-11, and who is certified  
13           as a law enforcement officer under the provisions of Chapter 17C of the  
14           General Statutes or certified as a deputy sheriff under the provisions of  
15           Chapter 17E of the General Statutes. 'Law enforcement officer' also  
16           means the sheriff of the county. The number of paid personnel  
17           employed as law enforcement officers by a law enforcement agency  
18           may not exceed the number of law enforcement positions approved by  
19           the applicable local governing board."

20            Section 3. This act becomes effective July 1, 1997, and applies to all persons  
21            enrolled in the Local Governmental Employees' Retirement System on or after that date.