

**GENERAL ASSEMBLY OF NORTH CAROLINA  
SESSION 2005**

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**SENATE DRS75092-LL-62 (2/17)**

Short Title: Retired Nurses Return to Work.

(Public)

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Sponsors: Senator Bingham.

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Referred to:

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A BILL TO BE ENTITLED

AN ACT TO ENABLE RETIRED REGISTERED NURSES TO RETURN TO  
EMPLOYMENT TEACHING AT COMMUNITY COLLEGES WITHOUT  
LOSING RETIREMENT BENEFITS.

The General Assembly of North Carolina enacts:

**SECTION 1.** G.S. 135-3(8)c. reads as rewritten:

"c. Should a beneficiary who retired on an early or service retirement allowance under this Chapter be reemployed, or otherwise engaged to perform services, by an employer participating in the Retirement System on a part-time, temporary, interim, or on a fee-for-service basis, whether contractual or otherwise, and if such beneficiary earns an amount during the 12-month period immediately following the effective date of retirement or in any calendar year which exceeds fifty percent (50%) of the reported compensation, excluding terminal payments, during the 12 months of service preceding the effective date of retirement, or twenty thousand dollars (\$20,000), whichever is greater, as hereinafter indexed, then the retirement allowance shall be suspended as of the first day of the month following the month in which the reemployment earnings exceed the amount above, for the balance of the calendar year. The retirement allowance of the beneficiary shall be reinstated as of January 1 of each year following suspension. The amount that may be earned before suspension shall be increased on January 1 of each year by the ratio of the Consumer Price Index to the Index one year earlier, calculated to the nearest tenth of a percent (1/10 of 1%).

1           The computation of postretirement earnings of a beneficiary  
2           under this sub-subdivision, G.S. 135-3(8)c., who has been  
3           retired at least six months and has not been employed in any  
4           capacity, except as a substitute teacher or a part-time tutor, with  
5           a public school for at least six months immediately preceding  
6           the effective date of reemployment, shall not include earnings  
7           while the beneficiary is employed to teach on a substitute,  
8           interim, or permanent basis in a public school. The Department  
9           of Public Instruction shall certify to the Retirement System that  
10          a beneficiary is employed to teach by a local school  
11          administrative unit under the provisions of this sub-subdivision  
12          and as a retired teacher as the term is defined under the  
13          provisions of G.S. 115C-325(a)(5a).

14          The computation of postretirement earnings of a beneficiary  
15          under this sub-subdivision, G.S. 135-3(8)c., who is a registered  
16          nurse with a masters degree in nursing, and who has been  
17          retired at least six months and has not been employed in any  
18          capacity by the State for at least six months immediately  
19          preceding the effective date of reemployment, shall not include  
20          earnings while the beneficiary is employed to teach nursing at a  
21          community college. The Department of Community Colleges  
22          shall certify to the Retirement System that a beneficiary is  
23          employed to teach by a community college under the provisions  
24          of this sub-subdivision and as a retired registered nurse.

25          Beneficiaries employed under this sub-subdivision are not  
26          entitled to any benefits otherwise provided under this Chapter  
27          as a result of this period of employment."

28          **SECTION 2.** This act becomes effective July 1, 2005.