

**GENERAL ASSEMBLY OF NORTH CAROLINA  
SESSION 2009**

**H**

**1**

**HOUSE BILL 1073**

Short Title: Fire and Rescue Pension Withdrawal Change. (Public)

Sponsors: Representative Lewis.

Referred to: Pensions and Retirement, if favorable, Appropriations.

April 6, 2009

1 A BILL TO BE ENTITLED  
2 AN ACT TO PROVIDE THAT MEMBERS OF THE FIRE AND RESCUE PENSION FUND  
3 WHO WITHDRAW FROM MEMBERSHIP ARE ENTITLED TO THE RETURN OF  
4 ALL FUNDS.

5 The General Assembly of North Carolina enacts:

6 **SECTION 1.** G.S. 58-86-60(4) reads as rewritten:

7 "(4) Any member withdrawing from the fund shall, upon proper application, be  
8 paid all moneys ~~the individual contributed to the fund~~ without accumulated  
9 earnings on the payments after the time they were made less an  
10 administrative fee equal to the lesser of the amount the individual  
11 contributed to the fund or twenty-five dollars (\$25.00). The administrative  
12 fees collected by the fund shall be retained by the Board to defray  
13 administrative expenses, including salaries. ~~Notwithstanding the foregoing,~~  
14 ~~if any person, firm, corporation, or other entity has made contributions on~~  
15 ~~behalf of a member and that member withdraws from the fund, the person,~~  
16 ~~firm, corporation, or other entity shall be entitled to a refund equal to the~~  
17 ~~amount of contributions made by them after the Board has been notified of~~  
18 ~~the contributor's desire to be refunded its contributions upon the member's~~  
19 ~~withdrawal. Any refunds to a contributor other than a member shall also be~~  
20 ~~subject to the twenty five dollar (\$25.00) administrative fee. If a refund is to~~  
21 ~~be shared by a member and another party the administrative fee shall be~~  
22 ~~applied to each portion on a pro rata basis."~~

23 **SECTION 2.** This act is effective when it becomes law.

