



NORTH CAROLINA GENERAL ASSEMBLY
AMENDMENT
House Bill 514

AMENDMENT NO. 1
(to be filled in by
Principal Clerk)

H514-ABEp-82 [v.4]

Page 1 of 3

Amends Title [NO]
Second Edition

Date May 30, 2018

Senator Tarte

1 moves to amend the bill on page 4, line 18, by rewriting the line to read:

2
3 "(4) The employees of ~~the~~ a charter school operated by a nonprofit";

4
5 And on page 4, lines 37-40, by rewriting the lines to read:

6
7 "(4a) The board of directors of a municipal charter school may elect to become a
8 participating employer in the Teachers' and State Employees' Retirement
9 System and the State Health Plan for Teachers and State Employees.";

10
11 And on page 4, lines 42-50, by rewriting the lines to read:

12
13 "**SECTION 7.** G.S. 135-4(cc) reads as rewritten:

14 "(cc) Credit for Employment in a Charter School Operated by a Private Nonprofit
15 Corporation, Corporation or a Charter School Operated by a Municipality. – Any member may
16 purchase creditable service for any employment as an employee of a charter school operated by
17 a private nonprofit corporation or a charter school operated by a municipality—whose board of
18 directors did not elect to participate in the Retirement System under G.S. 135-5.3 upon
19 completion of five years of membership service by making a lump-sum payment into the Annuity
20 Savings Fund. The payment by the member shall be equal to the full liability of the service credits
21 calculated on the basis of the assumptions used for purposes of the actuarial valuation of the
22 Retirement System's liabilities, taking into account the additional retirement allowance arising
23 on account of the additional service credits commencing at the earliest age at which the member
24 could retire with an unreduced retirement allowance, as determined by the Board of Trustees
25 upon the advice of the actuary plus an administrative expense fee to be determined by the Board
26 of Trustees. Creditable service purchased under this subsection shall not exceed a total of five
27 years. Notwithstanding the foregoing provisions of this subsection that provide for the purchase
28 of service credits, the terms "full cost", "full liability", and "full actuarial cost" include assumed
29 annual postretirement allowance increases, as determined by the Board of Trustees, from the
30 earliest age at which a member could retire on an unreduced service allowance."

31 **SECTION 8.** G.S. 135-5.3 reads as rewritten:



* H 5 1 4 - A B E P - 8 2 - V - 4 *

NORTH CAROLINA GENERAL ASSEMBLY
AMENDMENT
House Bill 514

AMENDMENT NO. 1
(to be filled in by
Principal Clerk)

H514-ABEp-82 [v.4]

Page 2 of 3

1 **"§ 135-5.3. Optional participation for charter schools operated by private nonprofit**
2 **corporations, corporations or municipalities.**

3 ...

4 (b1) The board of directors of a charter school operated by a private nonprofit corporation
5 or a charter school operated by a municipality and that has received State Board of Education
6 approval under G.S. 115C-218.5 may elect to become a participating employer in the Retirement
7 System in accordance with this Article.

8"

9 **SECTION 9.** G.S. 135-48.47 reads as rewritten:

10 **"§ 135-48.47. Participation in State Health Plan by local government employees and**
11 **dependents.**

12 (a) Eligibility. – The employees and dependents of employees of local government units
13 are eligible to participate in the State Health Plan, as provided in this section. This section does
14 not apply to employees of a charter school operated by a municipality, as provided in Article 14A
15 of Chapter 115C of the General Statutes.

16 Employees and dependents participating under this section are not guaranteed participation
17 in the Plan, and participation is contingent on their respective local government units (i) electing
18 to participate in the Plan and (ii) complying with the provisions of this section and this Article,
19 as well as any policies adopted by the Plan.

20"

21 **SECTION 10.** G.S. 135-48.54 reads as rewritten:

22 **"§ 135-48.54. Optional participation for charter schools operated by private nonprofit**
23 **corporations, corporations or municipalities.**

24 (a) The board of directors of each charter school operated by a private nonprofit
25 corporation or a charter school operated by a municipality shall elect whether to become a
26 participating employer in the Plan in accordance with this Article. This election shall be in
27 writing, shall be made no later than 30 days after October 28, 1998, and shall be filed with the
28 Plan and with the State Board of Education. For each charter school employee who is employed
29 on or before the date the board makes the election, membership in the Plan is effective as of the
30 date the board makes the election. For each charter school employee who is employed after the
31 date the board makes the election, membership in the Plan is effective as of the date of that
32 employee's entry into eligible service. This subsection applies only to charter schools that
33 received State Board of Education approval under former G.S. 115C-238.29D in 1997 or 1998.

34 (b) No later than 30 days after both parties have signed the written charter under G.S.
35 115C-218.15, the board of directors of a charter school operated by a private nonprofit
36 corporation or a charter school operated by a municipality shall elect whether to become a
37 participating employer in the Plan in accordance with this Article. This election shall be in writing
38 and filed with the Plan and the State Board of Education. This election is effective for each charter
39 school employee as of the date of that employee's entry into eligible service. This subsection
40 applies to charter schools that receive State Board of Education approval under former G.S.
41 115C-238.29D or G.S. 115C-218.5 after 1998.

42"

NORTH CAROLINA GENERAL ASSEMBLY
AMENDMENT
House Bill 514

AMENDMENT NO. 1
(to be filled in by
Principal Clerk)

H514-ABEp-82 [v.4]

Page 3 of 3


1
2
3
4
5
6
7
8
9
10
11
12
13
14

SECTION 11. This act applies only to the Town of Cornelius, the Town of Huntersville, the Town of Matthews, and the Town of Mint Hill.

SECTION 12. If any section or provision of this act is declared unconstitutional or invalid by the courts, it does not affect the validity of this act as a whole or any part other than the part declared to be unconstitutional or invalid.";

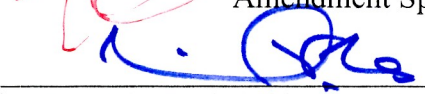
And on page 5, line 1, by replacing "SECTION 10." with "SECTION 13.".

SIGNED



Amendment Sponsor

SIGNED



Committee Chair if Senate Committee Amendment

ADOPTED

FAILED

TABLED

