

ADOPTED



NORTH CAROLINA GENERAL ASSEMBLY
AMENDMENT
House Bill 47

AMENDMENT NO. A2
(to be filled in by
Principal Clerk)

H47-ANE-2 [v.1]

Page 1 of 2

Amends Title [NO]
Fourth Edition

Date _____, 2025

Senator Corbin

1 moves to amend the bill on page on page 19, line 27, by inserting between the words "Schools,"
2 and "and" the words "Swain County Schools,"; and

3
4 on page 20, lines 38-39, by inserting the following between the lines:

5
6 **"EXTEND THE TIME-LIMITED REMOVAL OF BARRIERS TO ALLOW RETIREES**
7 **OF THE TEACHERS' AND STATE EMPLOYEES' RETIREMENT SYSTEM AND THE**
8 **LOCAL GOVERNMENTAL EMPLOYEES' RETIREMENT SYSTEM TO RETURN TO**
9 **WORK ON A PART-TIME, TEMPORARY, OR INTERIM BASIS**

10 **SECTION 5.11.** Section 12.1 of S.L. 2024-51 reads as rewritten:

11 **"SECTION 12.1.(a)** For individuals who retired under the Teachers' and State Employees'
12 Retirement System (TSERS) on or after April 1, 2024, but before ~~October 1, 2024,~~ March 1,
13 2025, the six-month separation from service from an employer required under G.S. 135-1(20) in
14 order for a retirement to become effective shall not apply and instead a one-month separation
15 shall be required, provided that the position to which the individual returns is needed due to the
16 state of emergency related to Hurricane Helene or associated Hurricane Helene recovery efforts,
17 as certified to the Retirement Systems Division of the Department of State Treasurer by the
18 employing agency.

19 **SECTION 12.1.(b)** Upon the expiration of subsection (a) of this section, all of the following
20 shall apply:

- 21 (1) The six-month separation from an employer required under G.S. 135-1(20)
22 shall again be applicable to individuals who retired under TSERS on or after
23 April 1, 2024, but before ~~October 1, 2024,~~ March 1, 2025.
- 24 (2) In order for a member's retirement under TSERS on or after April 1, 2024, but
25 before ~~October 1, 2024,~~ March 1, 2025, to become effective in any month, the
26 member must perform no work for an employer, including part-time,
27 temporary, substitute, or contractor work, at any time between the expiration
28 of subsection (a) of this section and the end of the six months immediately
29 following the effective date of retirement, provided the expiration of the
30 six-month period of separation did not occur while subsection (a) of this
31 section was in effect.



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1 **SECTION 12.1.(c)** For individuals who retired under TSERS on or after April 1, 2024, but
2 before ~~October 1, 2024~~, March 1, 2025, any time worked between September 25, 2024, and the
3 time subsection (a) of this section expires shall not be considered work for the purposes of the
4 six-month separation required under G.S. 135-1(20) or for the purposes of G.S. 135-3(d),
5 provided the position held by the individual is needed due to the state of emergency related to
6 Hurricane Helene or associated Hurricane Helene recovery efforts, as certified to the Retirement
7 Systems Division of the Department of State Treasurer by the employing agency.

8 **SECTION 12.1.(d)** For individuals who retired prior to ~~October 1, 2024~~, March 1, 2025,
9 any earnings received between September 25, 2024, and the time that subsection (a) of this
10 section expires shall not be treated as earned by a TSERS beneficiary under the provisions of
11 G.S. 135-3(a)(8)c., provided those earnings are related to a position needed due to the state of
12 emergency related to Hurricane Helene or associated Hurricane Helene recovery efforts, as
13 certified to the Retirement Systems Division of the Department of State Treasurer by the
14 employing agency.

15 **SECTION 12.1.(e)** For individuals who retired prior to ~~October 1, 2024~~, March 1, 2025,
16 any earnings received between September 25, 2024, and the time that subsection (a) of this
17 section expires shall not be treated as earned by a beneficiary of the Local Governmental
18 Employees Retirement System (LGERS) under the provisions of G.S. 128-24(5)c., provided
19 those earnings are related to a position needed due to the state of emergency related to Hurricane
20 Helene or associated Hurricane Helene recovery efforts, as certified to the Retirement Systems
21 Division of the Department of State Treasurer by the employing unit.

22 **SECTION 12.1.(f)** Any benefits received by or paid to a law enforcement officer, retired law
23 enforcement officer, sheriff, or retired sheriff under Article 12D or Article 12H of Chapter 143
24 of the General Statutes shall not be impacted by any work performed between September 25,
25 2024, and the time that subsection (a) of this section expires, provided that work performed is
26 needed due to the state of emergency related to Hurricane Helene or associated Hurricane Helene
27 recovery efforts, as documented by the employing unit or agency.

28 **SECTION 12.1.(g)** Subsection (a) of this section expires when the statewide declaration of
29 emergency issued by the Governor in Executive Order No. 315, concurred to by the Council of
30 State and as extended pursuant to this act and any other enactment of a general law, expires.""

SIGNED _____
Amendment Sponsor

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