



CHAPTER 120

ARTICLE 1A - LEGISLATIVE RETIREMENT SYSTEM

N.C.G.S. § 120-4.22.

Disability retirement benefits.

SOURCE	LAST AMENDMENT IN THIS TEXT	RETRIEVED	SOURCE FINGERPRINT
General Statutes of North Carolina, as published by the General Assembly	S.L. 2009-66, s. 3(l) — sixth act in the lineage	21 September 2026, 04:22 UTC	338e0b0179c778a8e9cfebb - 2f430677398090e24b97d29a - 72c76dd05f5bdd4a

- § 120-4.22(a)** Eligibility; Application. - Upon application by or on behalf of the member, any member in service who has completed at least five years of creditable service and who has not reached his 60th birthday may, after medical certification, be retired on a disability retirement allowance by the Board of Trustees on the first day of the particular calendar month designated by the applicant. The designated date shall be no less than one day nor more than 120 days from the filing of the application.
- § 120-4.22(b)** Medical Certification. - After a medical examination of the member, the medical board shall certify to the Board of Trustees that the member is mentally or physically incapacitated for further performance of duty as a member of the General Assembly, that the incapacity was incurred at the time of active employment and has been continuous thereafter, that the incapacity is likely to be permanent and whether the member should be retired.
- § 120-4.22(c)** Computation. - Upon retirement for disability pursuant to subsection (a) of this section, a member shall receive a disability retirement allowance equal to a service retirement allowance calculated on the basis of the member's "highest annual salary" and the creditable service he would have had by the age of 60 had he continued in service.
- § 120-4.22(d)** Limitations. - In no event shall any member receive a disability retirement allowance greater than seventy-five percent (75%) of his "highest annual salary".

APPARATUS I
6 ACTS

Amendment lineage

The State prints this history as a single parenthetical at the foot of the section. It is reproduced verbatim in the colophon and unpacked below in order of enactment.

1983		1996	2009
TICK HEIGHT = ACTS IN THAT YEAR DASHED = RECODIFICATION, NOT AMENDMENT			
Nº	YEAR	ACT	CHARACTER
01	1983	c. 761, s. 238	ENACTED
02	1983	1983 (Reg. Sess., 1984), c. 1034, ss. 195, 196	AMENDED
03	1987	c. 513, s. 1	AMENDED
04	1987	c. 738, s. 31(d)	AMENDED
05	2001	S.L. 2001-424, s. 32.30(c)	AMENDED
06	2009	S.L. 2009-66, s. 3(l)	AMENDED

APPARATUS III

Citation

FULL SECTION

N.C. Gen. Stat. § 120-4.22 (2009).

PINPOINT

N.C. Gen. Stat. § 120-4.22(a) (2009).

Pinpoint keys are set in the left margin of the text rather than line numbers: subsection designators are stable across editions and paper sizes, line numbers are not.

COLOPHON

Provenance

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HISTORY PARENTHETICAL, AS PRINTED BY THE STATE

(1983, c. 761, s. 238; 1983 (Reg. Sess., 1984), c. 1034, ss. 195, 196; 1987, c. 513, s. 1; c. 738, s. 31(d); 2001-424, s. 32.30(c); 2009-66, s. 3(l).)

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