

**ISSUE:        SEPARATION ALLOWANCE FOR RETIRED OFFICERS**

**BACKGROUND:**

For twenty years in North Carolina, law enforcement officers have been entitled to a monthly separation allowance if they retire after 30 years of service or after reaching the age of fifty-five and having served at least five years. This separation allowance is paid until the retiree reaches the age of sixty-two.

A recent court decision held that a former employee receiving such a special separation allowance could contract to continue receiving this allowance upon re-employment with another member of the local retirement system. Counties and municipalities throughout North Carolina have begun passing ordinances to restrict a retiree's ability to become re-employed in any government capacity and continue to receive the separation allowance. These policies are so restrictive that a retired officer receiving the allowance could not work in a community college. One county even passed such an ordinance and made it retroactive. The state statute involved in this issue clearly allows state retirees to continue to receive the separation allowance if they become re-employed with a government entity.

**QUESTION: 4**

If elected/re-elected, would you support a change in the law that would prevent such broad interpretation of the separation allowance clause, and clearly give county/municipal retirees the same protection afforded state retirees.