

GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2011

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SENATE BILL 849

Short Title: Amend Officer Salary Continuation. (Public)

Sponsors: Senators Goolsby; Allran, Blake, Brown, Daniel, Davis, Hunt, Jackson, Meredith, Newton, Preston, Rabon, Soucek, Tillman, Tucker, and Westmoreland.

Referred to: Insurance.

May 22, 2012

A BILL TO BE ENTITLED

AN ACT TO AMEND THE SALARY CONTINUATION LAWS TO PROVIDE THAT ONLY OFFICERS INJURED AND INCAPACITATED AS THE RESULT OF EXTREME ACTIVITY IN THE COURSE OF PERFORMING THEIR OFFICIAL DUTIES RECEIVE A HIGHER COMPENSATION RATE FOR THE TWO-YEAR PERIOD BEFORE REVERTING TO THE RATES PROVIDED UNDER THE WORKERS' COMPENSATION LAWS, AS RECOMMENDED BY THE JOINT LEGISLATIVE OVERSIGHT COMMITTEE ON JUSTICE AND PUBLIC SAFETY.

The General Assembly of North Carolina enacts:

SECTION 1. G.S. 143-166.14 reads as rewritten:

"§ 143-166.14. Payment of salary notwithstanding incapacity; Workers' Compensation Act applicable after two years; duration of payment.

The salary of any of the above listed persons shall be paid as long as his employment in that position continues, notwithstanding his total or partial incapacity to perform any duties to which he may be lawfully assigned, if that incapacity is the result of ~~an injury by accident~~ injuries-an injury or injuries due to extreme activity which occurred in the course and scope of his official duty or duties, or an occupational disease arising out of and in the course of the performance by him of his official duties, except if that incapacity continues for more than two years from its inception, the person shall, during the further continuance of that incapacity, be subject to the provisions of Chapter 97 of the General Statutes pertaining to workers' compensation. Salary paid to a person pursuant to this Article shall cease upon the resumption of his regularly assigned duties, retirement, resignation, or death, whichever first occurs, except that temporary return to duty shall not prohibit payment of salary for a subsequent period of incapacity which can be shown to be directly related to the original injury."

SECTION 2. This act becomes effective October 1, 2012, and applies to incapacity commencing on or after that date.

