

WEST VIRGINIA LEGISLATURE

2018 REGULAR SESSION

Introduced

Senate Bill 331

FISCAL
NOTE

BY SENATORS KARNES, BOSO, CLINE, DRENNAN,
GAUNCH, MANN, RUCKER, SWOPE, SYPOLT, AND BLAIR

[Introduced January 19, 2018; Referred
to the Committee on Pensions; and then to the Committee
on Finance]

1 A BILL to amend the Code of West Virginia, 1931, as amended, by adding thereto a new section,
 2 designated §5-10-56; and to amend said code by adding thereto a new section,
 3 designated §18-7A-17c, all relating to retirement and pension benefits of certain members
 4 of the West Virginia Public Employees Retirement System and the West Virginia Teachers
 5 Retirement System who serve in the Legislature or in other part-time positions; and
 6 providing that persons who first become members of the retirement system after
 7 December 1, 2018, through election, reelection, or appointment to the Legislature, or
 8 certain other positions, shall receive one fourth of a year of service credit for each full year
 9 of service in the Legislature or other part-time position.

Be it enacted by the Legislature of West Virginia:

**CHAPTER 5. GENERAL POWERS AND AUTHORITY OF THE
 GOVERNOR, SECRETARY OF STATE AND ATTORNEY GENERAL;
 BOARD OF PUBLIC WORKS; MISCELLANEOUS AGENCIES,
 COMMISSIONS, OFFICES, PROGRAMS, ETC.**

ARTICLE 10. WEST VIRGINIA PUBLIC EMPLOYEES RETIREMENT ACT.

§5-10-56. Calculating service credit for work as a legislator after certain date.

1 Other provisions in this code notwithstanding, a person who, after election, reelection or
 2 appointment, begins after June 30, 2018, a term as a member of the Legislature, and who is or
 3 becomes a member of the Public Employees Retirement System, shall receive one-day of service
 4 credit for each day of attendance in regular, special, extraordinary, interim, or extended session
 5 or for any day the member may be called to official duty by the leadership of the member's
 6 respective chamber, or for any day the member is entitled to collect per diem: *Provided*, That no
 7 more than one day of service credit may be earned for any calendar day.

CHAPTER 18. EDUCATION.

ARTICLE 7A. STATE TEACHERS RETIREMENT SYSTEM.

§18-7A-17c. Calculating service credit for work as a legislator after certain date.

1 Other provisions in this code notwithstanding, a person who, after election, reelection, or
2 appointment, begins after June 30, 2018, a term as a member of the Legislature, and who is or
3 becomes a member of the Teachers Retirement System, shall receive one-day of service credit
4 for each day of attendance in regular, special, extraordinary, interim, or extended session or for
5 any day the member may be called to official duty by the leadership of the member's respective
6 chamber, or for any day the member is entitled to collect per diem: *Provided*, That no more than
7 one day of service credit may be earned for any calendar day.

NOTE: The purpose of this bill is to limit pension service credit for members of the Legislature to no more than one day of service credit for any calendar day engaged in official duty.

Strike-throughs indicate language that would be stricken from a heading or the present law and underscoring indicates new language that would be added.