

WEST VIRGINIA LEGISLATURE

2022 REGULAR SESSION

ENROLLED

Committee Substitute

for

Senate Bill 641

BY SENATOR NELSON

[Passed March 11, 2022; in effect 90 days from passage]

1 AN ACT to amend and reenact §7-14D-7 of the Code of West Virginia, 1931, as amended, relating
2 to the deputy sheriff retirement system; allowing the Consolidated Public Retirement
3 Board to set employer contribution levels; requiring the level to be set actuarially; and
4 providing an effective date.

Be it enacted by the Legislature of West Virginia:

ARTICLE 14D. DEPUTY SHERIFF RETIREMENT SYSTEM ACT.

§7-14D-7. Members' contributions; employer contributions.

1 (a) There shall be deducted from the monthly salary of each member and paid into the
2 fund an amount equal to eight and one-half percent of his or her monthly salary. An additional
3 amount shall be paid to the fund by the county commission of the county in which the member is
4 employed in covered employment in an amount determined by the board: *Provided*, That in any
5 year preceding July 1, 2011, the total of the contributions provided in this section, to be paid by
6 the county commission, may not exceed 10 and one-half percent of the total payroll for the
7 members in the employ of the county commission: *Provided, however*, That on or after July 1,
8 2011, the total of the contributions provided in this section, to be paid by the county commission,
9 may not exceed 13 percent of the total payroll for the members in the employ of the county
10 commission: *Provided further*, That effective July 1, 2023, the total amount of the contributions of
11 the county commission shall be set actuarially by the Consolidated Public Retirement Board. If
12 the board finds that the benefits provided by this article can be actually funded with a lesser
13 contribution, then the board shall reduce the required member or employer contributions or both.
14 The sums withheld each calendar month shall be paid to the fund no later than 15 days following
15 the end of the calendar month.

16 (b) Any active member who has concurrent employment in an additional job or jobs and
17 the additional employment requires the deputy sheriff to be a member of another retirement
18 system which is administered by the Consolidated Public Retirement Board pursuant to §5-10D-
19 1 *et seq.* of this code shall make an additional contribution to the fund of eight and one-half percent

20 of his or her monthly salary earned from any additional employment which requires the deputy
21 sheriff to be a member of another retirement system which is administered by the Consolidated
22 Public Retirement Board pursuant to §5-10D-1 *et seq.* of this code. An additional amount shall be
23 paid to the fund by the concurrent employer for which the member is employed in an amount
24 determined by the board: *Provided*, That in any year preceding July 1, 2011, the total of the
25 contributions provided in this section, to be paid by the concurrent employer, may not exceed 10.5
26 percent of the monthly salary of the employee: *Provided, however*, That on or after July 1, 2011,
27 the total of the contributions provided in this section, to be paid by the concurrent employer, may
28 not exceed 13 percent of the monthly salary of the employee: *Provided further*, That effective July
29 1, 2023, the total amount of the contributions of the county commission shall be set actuarially by
30 the Consolidated Public Retirement Board. If the board finds that the benefits provided by this
31 article can be funded with a lesser contribution, then the board shall reduce the required member
32 or employer contributions or both. The sums withheld each calendar month shall be paid to the
33 fund no later than 15 days following the end of the calendar month.

The Joint Committee on Enrolled Bills hereby certifies that the foregoing bill is correctly enrolled.

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Chairman, Senate Committee

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Chairman, House Committee

Originated in the Senate.

In effect 90 days from passage.

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Clerk of the Senate

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Clerk of the House of Delegates

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President of the Senate

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Speaker of the House of Delegates

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Day of, 2022.

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Governor