

WEST VIRGINIA LEGISLATURE

2022 REGULAR SESSION

Committee Substitute

for

Senate Bill 641

BY SENATOR NELSON

[Originating in the Committee on Pensions; reported
on February 17, 2022]

1 A BILL to amend and reenact §7-14D-7 of the Code of West Virginia, 1931, as amended, relating
2 to deputy sheriff retirement; allowing the Consolidated Public Retirement Board to set
3 county commission contribution levels; requiring the level to be set actuarially; and providing
4 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 the
12 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 which is administered by the Consolidated Public
22 Retirement Board pursuant to §5-10D-1 *et seq.* of this code. An additional amount shall be paid
23 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.