

WEST VIRGINIA LEGISLATURE

2023 REGULAR SESSION

Introduced

Senate Bill 545

By Senators Martin, Queen, Deeds, Karnes, and

Maroney

[Introduced February 02, 2023; referred
to the Committee on Pensions]

1 A BILL to amend and reenact §5-10-20 of the Code of West Virginia, 1931, as amended, relating to
2 authorizing sheriffs who are members of the public retirement system to retire upon
3 attaining the age of 62 with eight or more years of service.

Be it enacted by the Legislature of West Virginia:

ARTICLE 10. WEST VIRGINIA PUBLIC EMPLOYEES RETIREMENT ACT.

§5-10-20. Voluntary Retirement.

1 (a) Except as provided in ~~subsection (b)~~ §5-10-20(b) and (c) of this ~~section~~ code, any
2 member who has attained or attains age sixty years and has five or more years of credited service
3 in force, at least one year of which he or she was a contributing member of the retirement system,
4 may retire upon his or her written application filed with the board of trustees setting forth at what
5 time, not less than thirty days nor more than ninety days subsequent to the execution and filing
6 thereof the member desires to be retired: *Provided*, That on and after June 1, 1986, any person
7 who becomes a new member of this retirement system shall, in qualifying for retirement
8 hereunder, have five or more years of service, all of which years shall be actual, contributory ones.
9 Upon retirement, the member shall receive an annuity provided for in section twenty-two of this
10 article.

11 (b) Any person who first becomes a member of the retirement system on or after July 1,
12 2015, may retire upon written application as provided in ~~subsection (a)~~ §5-10-20(a) of this ~~section~~
13 code upon attaining the age of sixty-two with ten or more years of service, all of which must be
14 actual, contributing years.

15 (c) A person who became a member of the retirement system by virtue of being elected as
16 sheriff of a county, and who is not participating in another retirement system administered by the
17 retirement board, may retire upon written application as provided in §5-10-20(a) of this code upon
18 attaining the age of sixty-two with eight or more years of service, all of which must be actual,
19 contributing years.

NOTE: The purpose of this bill is to authorize sheriffs who are members of the public retirement system to retire upon attaining the age of sixty-two with eight or more years of service.

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