

WEST VIRGINIA LEGISLATURE

FISCAL
NOTE

2024 REGULAR SESSION

Introduced

House Bill 5550

By Delegate Winzenreid

[Introduced February 09, 2024; Referred to the
Committee on Pensions and Retirement then
Finance]

1 A BILL to amend and reenact §5-10-20 of the Code of West Virginia, 1931, as amended, relating to
 2 the West Virginia Public Employees Retirement Act; providing that sheriffs who are
 3 members of the public retirement system to retire upon attaining the age of 62 with eight or
 4 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 §5-10-20(b) and §5-10-20(c) of this code, any member who has
 2 attained or attains age 60 years and has five or more years of credited service in force, at least one
 3 year of which he or she was a contributing member of the retirement system, may retire upon his or
 4 her written application filed with the board of trustees setting forth at what time, not less than 30
 5 days nor more than 90 days subsequent to the execution and filing thereof the member desires to
 6 be retired: *Provided*, That on and after June 1, 1986, any person who becomes a new member of
 7 this retirement system shall, in qualifying for retirement hereunder, have five or more years of
 8 service, all of which years shall be actual, contributory ones. Upon retirement, the member shall
 9 receive an annuity provided for in §5-10-22 of this code.

10 (b) Any person who first becomes a member of the retirement system on or after July 1,
 11 2015, may retire upon written application as provided in §5-10-20(a) of this code upon attaining the
 12 age of 62 with 10 or more years of service, all of which must be actual, contributing years.

13 (c) A person who became a member of the retirement system by virtue of being elected as
 14 sheriff of a county, and who is not participating in another retirement system administered by the
 15 retirement board, may retire upon written application as provided in §5-10-20(a) of this code upon
 16 attaining the age of 62 with eight or more years of service, all of which must be actual, contributing
 17 years.

NOTE: The purpose of this bill is to provide that sheriffs who are members of the public

retirement system to retire upon attaining the age of 62 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.