

H. B. 2223

(By Delegate Williams)

[Introduced January 12, 2011; referred to the
Committee on Pensions and Retirement then Finance.]

**FISCAL
NOTE**

A BILL to amend and reenact §25-1-11d of the Code of West Virginia,
1931, as amended, relating to providing that correctional
officers may retire with full benefits after twenty years of
actual and honorable service.

Be it enacted by the Legislature of West Virginia:

That §25-1-11d of the Code of West Virginia, 1931, as amended,
be amended and reenacted to read as follows:

ARTICLE 1. ORGANIZATION, INSTITUTIONS AND CORRECTIONS MANAGEMENT.

**§25-1-11d. Compensation of employees approved by commissioner;
traveling and other expenses; payment of salaries.**

The Commissioner of Corrections shall approve the salaries of
all employees of the Division of Corrections. Salaries shall be
commensurate with their duties and responsibilities, but no meals
or other emoluments of any kind shall be furnished, given or paid

1 to the employee as all or part of their salary. The employees may
2 be provided meals, household facilities and supplies as may be
3 necessary for them to perform their duties, if the employees agree
4 to pay the reasonable cost as established by the Commissioner of
5 Corrections. ~~In the event of~~ If there is an emergency, such as a
6 riot or other disturbance, the commissioner may authorize meals be
7 provided to employees at no cost. Additionally, the commissioner
8 may establish a procedure to reimburse employees reasonable costs
9 in the event the employee's personal property is stolen or damaged
10 by an inmate. All persons employed under this article are entitled
11 to be reimbursed for necessary traveling and other expenses. The
12 salaries, expenses and appropriations provided for the employees
13 under the commissioner's jurisdiction shall be paid in the same
14 manner as are those of other state employees and agencies and on a
15 payment schedule set forth by the State Auditor.

16 Notwithstanding any provision of this code to the contrary,
17 correctional officers shall be allowed to retire after twenty years
18 of honorable and actual service, with full benefits under the
19 provisions of article ten, chapter five of this code. The Public
20 Employees Retirement Board of Trustees is hereby directed to propose
21 rules for legislative approval in accordance with the provisions of
22 article three, chapter twenty-nine-a of this code designed to
23 implement the retirement of correctional officers provided herein.

NOTE: The purpose of this bill is to provide that correctional officers may retire with full benefits after twenty years of actual and honorable service.

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