

# **WEST VIRGINIA LEGISLATURE**

**2020 REGULAR SESSION**

**Enrolled**

## **Senate Bill 523**

BY SENATORS PLYMALE AND STOLLINGS

[Passed February 29, 2020; in effect 90 days from passage]



1 AN ACT to amend and reenact §8-22A-28 of the Code of West Virginia, 1931, as amended,  
2 relating to participation in Social Security by certain municipalities; extending the deadline  
3 for opting to extend Social Security coverage; and requiring State Auditor's office to assist  
4 municipalities in complying with certain requirements.

*Be it enacted by the Legislature of West Virginia:*

**ARTICLE 22A. WEST VIRGINIA MUNICIPAL POLICE OFFICERS AND  
FIREFIGHTERS RETIREMENT SYSTEM.**

**§8-22A-28. How a municipality or municipal subdivision becomes a participating public  
employer; duty to request referendum on Social Security coverage.**

1 (a) Subject to §8-22-16 of this code, any municipality or municipal subdivision employing  
2 municipal police officers or firefighters may by a majority of the members of its governing body  
3 eligible to vote, elect to become a participating public employer and thereby include its police  
4 officers and firefighters in the membership of the plan. The clerk or secretary of each municipality  
5 or municipal subdivision electing to become a participating public employer shall certify the  
6 determination of the municipality or municipal subdivision by corporate resolution to the  
7 Consolidated Public Retirement Board within 10 days from and after the vote of the governing  
8 body. Separate resolutions are required for municipal police officers and municipal firefighters.  
9 Once a municipality or municipal subdivision elects to participate in the plan, the action is final  
10 and it may not, at a later date, elect to terminate its participation in the plan.

11 (b) On or before October 1, 2024, all participating employers shall submit a plan to the  
12 State Auditor, as the designated state agency under the Social Security Act, to extend Social  
13 Security benefits to members of the retirement system as authorized by §5-7-5 of this code and  
14 applicable federal laws. The State Auditor shall assist the participating employers in complying  
15 with the requirements for providing extension of Social Security benefits to members of the  
16 retirement system.



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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The within ..... this the.....  
Day of ....., 2020.

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*Governor*