

WEST VIRGINIA LEGISLATURE

2020 REGULAR SESSION

Introduced

Senate Bill 523

BY SENATORS PLYMALE AND STOLLINGS

[Introduced January 17, 2020; referred

to the Committee on Pensions]

1 A BILL to amend and reenact §8-22A-28 of the Code of West Virginia, 1931, as amended, relating
2 to municipal subdivision participation in Social Security; and extending the deadline for
3 opting to extend Social Security coverage.

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, ~~2015~~, 2021, the participating employers shall jointly submit a
12 plan to the State Auditor, pursuant to §5-7-5 of this code, to extend Social Security benefits to
13 members of the retirement system.

NOTE: The purpose of this bill is to extend the time in which a municipality may choose to extend Social Security benefits to members of West Virginia Municipal Police Officers and Firefighters Retirement System.

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