

# **WEST VIRGINIA LEGISLATURE**

## **2023 REGULAR SESSION**

**Introduced**

### **House Bill 3226**

By Delegates Toney, Hott, E. Pritt and Ward

[Introduced February 02, 2023; Referred to the  
Committee on Pensions and Retirement then  
Finance]

1 A BILL to amend and reenact §15-2A-7 of the Code of West Virginia, 1931, as amended, relating  
 2 to modifying the West Virginia State Police Retirement System.

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

**ARTICLE 2A. WEST VIRGINIA STATE POLICE RETIREMENT SYSTEM.**

**§15-2A-7. Annual annuity adjustment.**

1 (a) Every retirant of the fund who is ~~sixty-three~~ 55 years of age or older and who is retired  
 2 by the board under the provisions of ~~section six of this article~~ §15-2A-6 of this code; every retirant  
 3 who is retired under the provisions of ~~section nine or ten of this article~~ §15-2A-9 or §15-2A-10 of  
 4 this code; and every surviving spouse receiving a benefit pursuant to ~~section twelve, thirteen or~~  
 5 ~~fourteen of this article~~ §15-2A-12, §15-2A-13, or §15-2A-14 of this code is eligible to receive an  
 6 annual retirement annuity adjustment equal to one percent of his or her retirement award or  
 7 surviving spouse award. The adjustments may not be retroactive. Yearly adjustments shall begin  
 8 upon July 1, of each year. The annuity adjustments shall be paid to the retirant or surviving spouse  
 9 from the fund in equal monthly installments while the retirant or surviving spouse are receiving  
 10 annuity payments. The annuity adjustments shall supplement the retirement awards and benefits  
 11 provided in this article.

12 (b) Any retirant or surviving spouse who receives a benefit pursuant to the provisions of  
 13 ~~section nine, ten, twelve, thirteen or fourteen of this article~~ §15-2A-9, §15-2A-10, §15-2A-12, §15-  
 14 2A-13, or §15-2A-14 of this code shall begin to receive the annual annuity adjustment one year  
 15 after the commencement of the benefit on the next July first: *Provided*, That if the retirant has been  
 16 retired for less than one year or if the surviving spouse has been in receipt of surviving spouse  
 17 payments for less than one year when the first annuity adjustment is given on that July first, that  
 18 first annuity adjustment will be a pro rata share of the full year's annuity adjustment.

NOTE: The purpose of this bill is to modify the West Virginia State Police 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.