

H. B. 2718

(By Delegates Perry and Boggs)
[Introduced January 21, 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
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;
retirement after twenty years of service.**

(a) 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

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

17 (b) Notwithstanding any provision of this code to the
18 contrary, correctional officers are allowed to retire after twenty
19 years of honorable and actual service, with full benefits under the
20 provisions of article ten, chapter five of this code. The
21 Consolidated Public Retirement Board shall propose rules for
22 legislative approval in accordance with the provisions of article
23 three, chapter twenty-nine-a of this code designed to implement the
24 retirement of correctional officers provided in this section.

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.