

WEST VIRGINIA LEGISLATURE

2025 REGULAR SESSION

Introduced

House Bill 2679

By Delegate Pritt

[Introduced February 20, 2025; referred to the
Committee on the Judiciary]

1 A BILL to amend the Code of West Virginia, 1931, as amended, by adding a new section,
2 designated §30-29-15, relating to providing guidelines for reinstating sheriff's deputies to
3 their former departments after retirement and defining applicability, eligibility, and rules for
4 the process.

Be it enacted by the Legislature of West Virginia:

ARTICLE 29. LAW-ENFORCEMENT TRAINING AND CERTIFICATION.

§30-29-15. Meritorious Reinstatement Program

1 (a) Purpose and Justification - Deputy sheriffs accumulate a vast and varied amount of
2 experience while working in the state of West Virginia. Currently, there is a shortage of those
3 willing to serve as deputies and law enforcement officers in this state. Each time an experienced
4 deputy retires, all that experience is lost for the state and those positions are not being filled to
5 replace them. The Meritorious Reinstatement Program would address both of these concerns and
6 help ensure that West Virginia remains safe with more officers patrolling the streets.

7 (b) Eligibility – Deputy sheriffs who retired as a West Virginia Deputy Sheriff, as that term is
8 defined by the Deputy Sheriff Retirement System (DSRS) regardless of whether the retiree has
9 chosen to draw benefits currently or deferred until later, shall be eligible using the following metric:

10 (1) Any retiree who is at least the age of 50 with 20 years of service (excluding military
11 service) will receive full benefits.

12 (2) Any retiree who is at least the age of 40 with 20 years of service (excluding military
13 service) will receive reduced benefits.

14 (3) Applicants must have "retired" in good standing with their agency and not under
15 unfavorable conditions, under investigation of any kind, and not with a disqualified certification
16 under WV Law Enforcement Professional Standards (LEPS) expectations. Reinstated deputies
17 must be LEPS active or available to obtain LEPS certification reinstatement as soon as possible
18 following their reinstatement date.

19 (4) Applicant deputies must be no older than 55 years of age at the time of application.

Applicants are eligible for this program regardless of the duration of their time out of their position as long as they meet all other listed criteria.

(c) Rules –

(1) Applying retirees who are receiving retirement payments must immediately discontinue said payments upon reinstatement and begin paying back into the DSRS.

(2) Reinstatement of a deputy sheriff back to his or her former rank shall not interfere with or influence any current or near future promotional situations within the department.

(3) Reinstated deputies shall be subject to all statutory work responsibilities the same as all other deputy sheriffs.

(4) Sheriffs of reinstated deputies shall have the option to place them outside of the current chain of command as to not upset a current, established status quo regarding rank structure within the department.

(5) Sheriffs considering an applicant for reinstatement shall conduct a criminal background investigation on the applicant to ensure the applicant has been properly vetted for public safety purposes.

(6) Applicants may not be persons who are prohibited from possession of firearms for any reason.

(d) Applicability and obligation - No sheriff of any county will be required to use this program. This program will be completely a matter of discretion of the sheriff, and said sheriffs are not obligated to reinstate a retiree just because he or she has applied.

NOTE: The purpose of this bill is to provide guidelines for reinstating sheriff's deputies to their former departments after retirement and defining applicability, eligibility, and rules for the process.

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