

# **WEST VIRGINIA LEGISLATURE**

## **2025 REGULAR SESSION**

### **Introduced**

## **House Bill 3309**

**FISCAL  
NOTE**

By Delegates Bridges, Dean, Crouse, Ward, Lucas,  
Roop, T. Clark, Heckert, Marple, Stephens, and  
Browning

[Introduced March 11, 2025; referred to the  
Committee on Finance]

1 A BILL to amend and reenact §5-10-20 of the Code of West Virginia, 1931, as amended,  
2 authorizing sheriffs who are members of the public retirement system to retire upon  
3 attaining the age of 62 with eight or more years of service.

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

**ARTICLE 10. WEST VIRGINIA PUBLIC EMPLOYEES RETIREMENT ACT.**

**§5-10-20.**

**Voluntary**

**Retirement.**

1 (a) Except as provided in subsection (b) of this section, any member who has attained or  
2 attains age 60 years and has five or more years of credited service in force, at least one year of  
3 which he or she was a contributing member of the retirement system, may retire upon his or her  
4 written application filed with the board of trustees setting forth at what time, not less than 30 days  
5 nor more than 90 days subsequent to the execution and filing thereof the member desires to be  
6 retired: *Provided*, That on and after June 1, 1986, any person who becomes a new member of this  
7 retirement system shall, in qualifying for retirement hereunder, have five or more years of service,  
8 all of which years shall be actual, contributory ones. Upon retirement, the member shall receive an  
9 annuity provided for in §5-10-22 of this code.

10 (b) Any person who first becomes a member of the retirement system on or after July 1,  
11 2015, may retire upon written application as provided in subsection (a) of this section upon  
12 attaining the age of 62 with 10 or more years of service, all of which ~~must~~ shall be actual,  
13 contributing years.

14 (c) A person who became a member of the retirement system by virtue of being elected as  
15 sheriff of a county, and who is not participating in another retirement system administered by the  
16 retirement board, may retire upon written application as provided subsection (a) of this section  
17 upon attaining the age of 62 with eight or more years of service, all of which must be actual,  
18 contributing years.

NOTE: The bill authorizes sheriffs who are members of the public retirement system to

retire upon attaining the age of sixty-two with eight or more years of service.

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