

WEST VIRGINIA LEGISLATURE

2025 REGULAR SESSION

Introduced

Senate Bill 105

BY SENATORS WELD, OLIVERIO, DEEDS, WILLIS,
HAMILTON, TAKUBO, HELTON, MORRIS, AND QUEEN

[Introduced February 12, 2025; referred
to the Committee on Pensions; and then to the
Committee on Finance]

1 A BILL to amend and reenact §5-10-20 of the Code of West Virginia, 1931, as amended, relating
2 to 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 subsections (b) and (c) of this section, any member who has
2 attained or attains age 60 years and has five or more years of credited service in force, at least
3 one year of which he or she was a contributing member of the retirement system, may retire upon
4 his or her written application filed with the board of trustees setting forth at what time, not less
5 than 30 days nor more than 90 days subsequent to the execution and filing thereof the member
6 desires to be retired: *Provided*, That on and after June 1, 1986, any person who becomes a new
7 member of this retirement system shall, in qualifying for retirement hereunder, have five or more
8 years of service, all of which years shall be actual, contributory ones. Upon retirement, the
9 member shall receive an 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 be actual, contributing
13 years.

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