

WEST VIRGINIA LEGISLATURE

2025 REGULAR SESSION

Introduced

Senate Bill 192

**FISCAL
NOTE**

By Senator Deeds

[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 to
 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 §5-10-20(b) and (c) of this code, any member who has attained
 2 or 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 §5-10-20(a) of this code upon attaining the
 12 age of 62 with 10 or more years of service, all of which must be actual, contributing years.

13 (c) A person who became a member of the retirement system by virtue of being elected as
 14 sheriff of a county, and who is not participating in another retirement system administered by the
 15 retirement board, may retire upon written application as provided in §5-10-20(a) upon attaining the
 16 age of 62 with eight or more years of service, all of which must be actual, contributing years.

NOTE: The purpose of this bill is to authorize 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.