

WEST VIRGINIA LEGISLATURE

2026 REGULAR SESSION

Committee Substitute

for

Senate Bill 206

BY SENATORS WELD, DEEDS, HAMILTON, TARR, AND

QUEEN

[Reported February 10, 2026, from the Committee on

Pensions]

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 §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
3 of which he or she was a contributing member of the retirement system, may retire upon his or
4 her written application filed with the board of trustees setting forth at what time, not less than 30
5 days nor more than 90 days subsequent to the execution and filing thereof the member desires
6 to be retired: *Provided*, That on and after June 1, 1986, any person who becomes a new member
7 of this retirement system shall, in qualifying for retirement hereunder, have five or more years of
8 service, all of which years shall be actual, contributory ones. Upon retirement, the member shall
9 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 §5-10-20(a) of this code upon attaining
12 the age of 62 with 10 or more years of service, all of which must be actual, contributing years.

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