

# **WEST VIRGINIA LEGISLATURE**

## **2026 REGULAR SESSION**

**Enrolled**

### **Senate Bill 28**

BY SENATORS BARRETT, HAMILTON, PHILLIPS, MORRIS,

TAKUBO, OLIVERIO, Z. MAYNARD, DEEDS, TARR,

BARNHART, AND QUEEN

[Passed March 12, 2026; in effect 90 days from  
passage (June 10, 2026)]



1 AN ACT to amend and reenact §15-2A-21 of the Code of West Virginia, 1931, as amended,  
2 relating to using accrued leave to acquire additional credited service toward retirement;  
3 clarifying that a leave day equals eight hours' leave; and granting members entering  
4 retirement system after July 1, 2015, the option to use leave days to acquire additional  
5 service for retirement.

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

**ARTICLE 2A. WEST VIRGINIA STATE POLICE RETIREMENT SYSTEM.**

**§15-2A-21. Retirement credited service through member's use, as option, of accrued  
annual or sick leave days.**

1 (a) For purposes of this section, an annual leave or sick leave day shall be the equivalent  
2 of eight hours of leave.

3 (b) Any member accruing annual leave or sick leave days may, after April 9, 2005, elect  
4 to use the days at the time of retirement to acquire additional credited service in this retirement  
5 system. The days shall be applied on the basis of two workdays' credit granted for each one day  
6 of accrued annual or sick leave days, with each month of retirement service credit to equal 20  
7 workdays and with any remainder of 10 workdays or more to constitute a full month of additional  
8 credit and any remainder of less than 10 workdays to be dropped and not used, notwithstanding  
9 any provisions of the code to the contrary. The credited service shall be allowed and not  
10 considered to controvert the requirement of no more than 12 months' credited service in any  
11 year's period.

12 (c) A person who first becomes a member of the retirement system on or after July 1,  
13 2015, accruing annual leave or sick leave days may, after the effective date of this section, elect  
14 to use the days at the time of retirement to acquire additional credited service in this retirement  
15 system. The days shall be applied on the basis of one days' credit granted for each one day of  
16 accrued annual or sick leave days, with each month of retirement service credit to equal 20 days  
17 and with any remainder of 10 days or more to constitute a full month of additional credit and any

18 remainder of less than 10 days to be dropped and not used, notwithstanding any provisions of  
19 this code to the contrary. The credited service shall be allowed and not considered to controvert  
20 the requirement of no more than 12 months' credited service in any year's period.

The Clerk of the Senate and the Clerk of the House of Delegates hereby certify that the foregoing bill is correctly enrolled.

.....  
*Clerk of the Senate*

.....  
*Clerk of the House of Delegates*

Originated in the Senate.

In effect 90 days from passage.

.....  
*President of the Senate*

.....  
*Speaker of the House of Delegates*

\_\_\_\_\_

The within is ..... this the.....  
Day of ....., 2026.

.....  
*Governor*