

WEST VIRGINIA LEGISLATURE

2026 REGULAR SESSION

Introduced

Senate Bill 28

BY SENATORS BARRETT, HAMILTON, PHILLIPS, MORRIS,

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

BARNHART, AND QUEEN

[Introduced January 14, 2026; referred
to the Committee on Pensions; and then to the
Committee on Finance]

1 A BILL to amend and reenact §15-2A-21 of the Code of West Virginia, 1931, as amended, relating
2 to using accrued leave to acquire additional credited service toward retirement; clarifying
3 that a leave day equals eight hours' leave; and granting members entering retirement
4 system after July 1, 2015, the option to use leave days to acquire additional service for
5 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. ~~Provided, That for a person who first becomes a~~
10 ~~member of the retirement system on or after July 1, 2015, accrued annual and sick leave days~~
11 ~~may not be applied to acquire additional credited service~~ The credited service shall be allowed
12 and not considered to controvert the requirement of no more than 12 months' credited service in
13 any year's period.

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

18 accrued annual or sick leave days, with each month of retirement service credit to equal 20 days
19 and with any remainder of 10 days or more to constitute a full month of additional credit and any
20 remainder of less than 10 days to be dropped and not used, notwithstanding any provisions of
21 this code to the contrary. The credited service shall be allowed and not considered to controvert
22 the requirement of no more than 12 months' credited service in any year's period.