

WEST VIRGINIA LEGISLATURE

2026 REGULAR SESSION

Enrolled

Committee Substitute

for

Senate Bill 724

BY SENATORS BARRETT, DEEDS, OLIVERIO, AND

HAMILTON

[Passed March 14, 2026; to take effect July 1, 2026]

1 AN ACT to amend and reenact §16-5V-2 and §16-5V-6f of the Code of West Virginia, 1931, as
2 amended; and to amend the code by adding a new section, designated §16-5V-6g,
3 relating to participation in the Emergency Medical Services Retirement System; removing
4 the requirement that home confinement officers be certified as law-enforcement officers
5 to participate in the Emergency Medical Services Retirement System; defining accrued
6 benefit to include service credit of certain emergency medical services officers and home
7 confinement officers; providing for emergency medical services officers currently
8 participating in the Public Employees Retirement System to elect to begin participating in
9 the Emergency Medical Services Retirement System; providing for process and timing of
10 emergency medical services officer's election to participate in the Emergency Medical
11 Services Retirement System; allowing qualified years of service of certain emergency
12 medical services officers' assets to transfer to the Emergency Medical Services
13 Retirement System from the Public Employees Retirement System; and extending dates
14 relating to eligible home confinement officers' participation election.

Be it enacted by the Legislature of West Virginia:

ARTICLE 5V. EMERGENCY MEDICAL SERVICES RETIREMENT SYSTEM ACT.

§16-5V-2. Definitions.

1 As used in this article, unless a federal law or regulation or the context clearly requires a
2 different meaning:

3 (a) "Accrued benefit" means on behalf of any member two and six-tenths percent per year
4 of the member's final average salary for the first 20 years of credited service. Additionally, two
5 percent per year for 21 through 25 years and one and one-half percent per year for each year
6 over 25 years will be credited with a maximum benefit of 67 percent. A member's accrued benefit
7 may not exceed the limits of Section 415 of the Internal Revenue Code and is subject to the
8 provisions of §16-5V-12 of this code.

9 (1) The board may, upon the recommendation of the board's actuary, increase the
10 employees' contribution rate to 10 and five-tenths percent should the funding of the plan not reach
11 70 percent funded by July 1, 2012. The board shall decrease the contribution rate to eight and
12 one-half percent once the plan funding reaches the 70 percent support objective as of any later
13 actuarial valuation date.

14 (2) Upon reaching the 75 percent actuarial funded level, as of an actuarial valuation date,
15 the board shall increase the two and six-tenths percent to two and three-quarter percent for the
16 first 20 years of credited service. The maximum benefit will also be increased from 67 percent to
17 90 percent.

18 (3) For 911 personnel, home confinement officers, or emergency medical services officers
19 with assets transferred pursuant to §16-5V-6d, §16-5V-6f, or §16-5V-6g of this code who did not
20 elect to pay back higher past contributions with interest, "accrued benefit" means, on behalf of the
21 member, two percent per year of the member's final average salary for all credited service that
22 was credited as a result of transferred assets. Additionally, two and three-quarter percent for the
23 first 20 years of new credited service earned from date of membership in this plan will be credited.
24 Additionally, two percent per year for 21 through 25 years of new credited service earned from
25 date of membership in this plan and one and one-half percent per year for each year over 25
26 years earned from date of membership in this plan will be credited. A maximum benefit of 90
27 percent of a member's final average salary may be paid. A member's accrued benefit may not
28 exceed the limits of Section 415 of the Internal Revenue Code and is subject to the provisions of
29 §16-5V-12 of this code.

30 (4) For 911 personnel, home confinement officers, or emergency medical services officers
31 with assets transferred pursuant to §16-5V-6d, §16-5V-6f, or §16-5V-6g of this code who did elect
32 to pay back higher past contributions, with interest, for eligible 911 service credit, home
33 confinement officer service credit or emergency medical services officer service credit" "accrued
34 benefit" means on behalf of the member two percent per year of the member's final average salary

35 for all non-911 credited service, non-home confinement officer service credit or emergency
36 medical services officer credited service that was credited as a result of transferred assets.
37 Additionally, two and three-quarter percent for the first 20 years of 911 credited service, home
38 confinement officer credited service or emergency medical services officer credit service will be
39 credited. Additionally, two percent per year for 21 through 25 years of 911 credited service, home
40 confinement officer credited service or emergency medical services officer credit service and one
41 and one-half percent per year for each year over 25 years of 911 credited service, home
42 confinement officer credited service or emergency medical services officer credit service will be
43 credited. A maximum benefit of 90 percent of a member's final average salary may be paid. A
44 member's accrued benefit may not exceed the limits of Section 415 of the Internal Revenue Code
45 and is subject to the provisions of §16-5V-12 of this code.

46 (b) "Accumulated contributions" means the sum of all retirement contributions deducted
47 from the compensation of a member, or paid on his or her behalf as a result of covered
48 employment, together with regular interest on the deducted amounts.

49 (c) "Active military duty" means full-time active duty with any branch of the armed forces
50 of the United States, including service with the National Guard or reserve military forces when the
51 member has been called to active full-time duty and has received no compensation during the
52 period of that duty from any board or employer other than the armed forces.

53 (d) "Actuarial equivalent" means a benefit of equal value computed upon the basis of the
54 mortality table and interest rates as set and adopted by the board in accordance with the
55 provisions of this article.

56 (e) "Annual compensation" means the wages paid to the member during covered
57 employment within the meaning of Section 3401(a) of the Internal Revenue Code, but determined
58 without regard to any rules that limit the remuneration included in wages based upon the nature
59 or location of employment or services performed during the plan year plus amounts excluded
60 under Section 414(h)(2) of the Internal Revenue Code and less reimbursements or other expense

61 allowances, cash or noncash fringe benefits or both, deferred compensation and welfare benefits.
62 Annual compensation for determining benefits during any determination period may not exceed
63 the maximum compensation allowed as adjusted for cost of living in accordance with §5-10D-7 of
64 this code and Section 401(a)(17) of the Internal Revenue Code.

65 (f) "Annual leave service" means accrued annual leave.

66 (g) "Annuity starting date" means the first day of the month for which an annuity is payable
67 after submission of a retirement application. For purposes of this subsection, if retirement income
68 payments commence after the normal retirement age, "retirement" means the first day of the
69 month following or coincident with the latter of the last day the member worked in covered
70 employment or the member's normal retirement age and after completing proper written
71 application for retirement on an application supplied by the board.

72 (h) "Board" means the Consolidated Public Retirement Board.

73 (i) "Bona fide separation from service upon retirement" means that a retirant has
74 completely terminated any employment relationship with any participating public employer in the
75 system for a period of at least 60 consecutive days from the effective date of retirement and
76 without a prearranged agreement to return to employment with a participating employer. For
77 purposes of this definition, an employment relationship includes employment in any capacity,
78 whether on a permanent, full-time, part-time, substitute, per diem, temporary, or leased employee
79 basis.

80 (j) "Contributing service" or "contributory service" means service rendered by a member
81 while employed by a participating public employer for which the member made contributions to
82 the plan. Contributory service that was transferred in full from the Public Employees Retirement
83 System will qualify as contributory service in this plan.

84 (k) "County commission or political subdivision" has the meaning ascribed to it in this
85 code.

86 (l) "County firefighter" means an individual employed in full-time employment as a
87 firefighter with a county commission.

88 (m) "Covered employment" means: (1) Employment as a full-time emergency medical
89 technician, emergency medical technician/paramedic, or emergency medical services/registered
90 nurse, and the active performance of the duties required of emergency medical services officers;
91 or (2) employment as a full-time employee of a county 911 public safety answering point; or (3)
92 employment as a full-time county home confinement officer; or (4) employment as a full-time
93 county firefighter; or (5) the period of time during which active duties are not performed but
94 disability benefits are received under this article; or (6) concurrent employment by an emergency
95 medical services officer, 911 personnel, home confinement officer, or county firefighter in a job or
96 jobs in addition to his or her employment as an emergency medical services officer, 911
97 personnel, home confinement officer, or county firefighter where the secondary employment
98 requires the emergency medical services officer, 911 personnel, home confinement officer, or
99 county firefighter to be a member of another retirement system which is administered by the
100 Consolidated Public Retirement Board pursuant to this code: *Provided*, That the emergency
101 medical services officer, 911 personnel, home confinement officer, or county firefighter
102 contributes to the fund created in this article the amount specified as the member's contribution
103 in §16-5V-8 of this code.

104 (n) "Credited service" means the sum of a member's years of service, active military duty,
105 disability service, service transferred from the Public Employees Retirement System and accrued
106 annual and sick leave service.

107 (o) "Dependent child" means either:

108 (1) An unmarried person under age eighteen who is:

109 (A) A natural child of the member;

110 (B) A legally adopted child of the member;

111 (C) A child who at the time of the member's death was living with the member while the
112 member was an adopting parent during any period of probation; or

113 (D) A stepchild of the member residing in the member's household at the time of the
114 member's death; or

115 (2) Any unmarried child under age 23:

116 (A) Who is enrolled as a full-time student in an accredited college or university;

117 (B) Who was claimed as a dependent by the member for federal income tax purposes at
118 the time of the member's death; and

119 (C) Whose relationship with the member is described in paragraph (A), (B), or (C),
120 subdivision (1) of this subsection.

121 (p) "Dependent parent" means the father or mother of the member who was claimed as
122 a dependent by the member for federal income tax purposes at the time of the member's death.

123 (q) "Disability service" means service received by a member, expressed in whole years,
124 fractions thereof or both, equal to one half of the whole years, fractions thereof, or both, during
125 which time a member receives disability benefits under this article.

126 (r) "Early retirement age" means age 45 or over and completion of 20 years of contributory
127 service.

128 (s) "Effective date" means January 1, 2008.

129 (t) "Emergency medical services officer" means an individual employed by the state,
130 county or other political subdivision as a medical professional who is qualified to respond to
131 medical emergencies, aids the sick and injured and arranges or transports to medical facilities,
132 as defined by the West Virginia Office of Emergency Medical Services. This definition is construed
133 to include employed ambulance providers and other services such as law enforcement, rescue,
134 or fire department personnel who primarily perform these functions and are not provided any other
135 credited service benefits or retirement plans. These persons may hold the rank of emergency
136 medical technician/basic, emergency medical technician/paramedic, emergency medical

137 services/registered nurse, or others as defined by the West Virginia Office of Emergency Medical
138 Services and the Consolidated Public Retirement Board.

139 (u) "Employer error" means an omission, misrepresentation, or deliberate act in violation
140 of relevant provisions of the West Virginia Code, the West Virginia Code of State Rules, or the
141 relevant provisions of both the West Virginia Code and of the West Virginia Code of State Rules
142 by the participating public employer that has resulted in an underpayment or overpayment of
143 contributions required.

144 (v) "Final average salary" means the average of the highest annual compensation
145 received for covered employment by the member during any five consecutive plan years within
146 the member's last 10 years of service while employed, prior to any disability payment. If the
147 member did not have annual compensation for the five full plan years preceding the member's
148 attainment of normal retirement age and during that period the member received disability benefits
149 under this article, then "final average salary" means the average of the monthly salary determined
150 paid to the member during that period as determined under §16-5V-19 of this code multiplied by
151 12. Final average salary does not include any lump sum payment for unused, accrued leave of
152 any kind or character.

153 (w) "Full-time employment" means permanent employment of an employee by a
154 participating public employer in a position which normally requires 12 months per year service
155 and requires at least 1,040 hours per year service in that position.

156 (x) "Fund" means the West Virginia Emergency Medical Services Retirement Fund
157 created by this article.

158 (y) "Home confinement officer" means an individual employed in full-time employment as
159 a home confinement officer or home incarceration supervisor with a county sheriff's office or by a
160 county commission.

161 (z) "Hour of service" means:

162 (1) Each hour for which a member is paid or entitled to payment for covered employment
163 during which time active duties are performed. These hours shall be credited to the member for
164 the plan year in which the duties are performed; and

165 (2) Each hour for which a member is paid or entitled to payment for covered employment
166 during a plan year, but where no duties are performed due to vacation, holiday, illness, incapacity
167 including disability, layoff, jury duty, military duty, leave of absence, or any combination thereof
168 and without regard to whether the employment relationship has terminated. Hours under this
169 subdivision shall be calculated and credited pursuant to West Virginia Division of Labor rules. A
170 member will not be credited with any hours of service for any period of time he or she is receiving
171 benefits under §16-5V-19 or §16-5V-20 of this code; and

172 (3) Each hour for which back pay is either awarded or agreed to be paid by the employing
173 county commission or political subdivision, irrespective of mitigation of damages. The same hours
174 of service shall not be credited both under subdivision (1) or subdivision (2) of this subsection and
175 under this subdivision. Hours under this paragraph shall be credited to the member for the plan
176 year or years to which the award or agreement pertains, rather than the plan year in which the
177 award, agreement, or payment is made.

178 (aa) "Medical examination" means an in-person or virtual examination of a member's
179 physical or mental health, or both, by a physician or physicians selected or approved by the board;
180 or, at the discretion of the board, a medical record review of the member's physical or mental
181 health, or both, by a physician selected or approved by the board.

182 (bb) "Member" means either: (1) A person first hired as an emergency medical services
183 officer by an employer which is a participating public employer of the Emergency Medical Services
184 Retirement System after the effective date of this article, as defined in subsection (s) of this
185 section; or (2) an emergency medical services officer of an employer which is a participating public
186 employer of the Public Employees Retirement System first hired prior to the effective date and
187 who elects to become a member pursuant to this article; or (3) a person first hired by a county

188 911 public safety answering center after the participating public employer elects to participate in
189 the Emergency Medical Services Retirement System; or (4) a home confinement officer hired on
190 or after July 1, 2025, employed by a participating public employer and who is not participating in
191 the Deputy Sheriffs Retirement System; or (5) a home confinement officer who elects to
192 participate pursuant to §16-5V-6f of this code and who is employed by a participating public
193 employer; or (6) a county firefighter hired on or after June 10, 2022; or (7) a county firefighter of
194 an employer which is a participating public employer of the Public Employees Retirement System
195 first hired prior to June 10, 2022, and who elects to become a member pursuant to §16-5V-6a of
196 this code; or (8) a person first hired by a county 911 public safety answering center prior to July
197 1, 2022, and who elects to become a member pursuant to §16-5V-6c of this code. A member
198 shall remain a member until the benefits to which he or she is entitled under this article are paid
199 or forfeited.

200 (cc) "Monthly salary" means the W-2 reportable compensation received by a member
201 during the month.

202 (dd) "Normal form" means a monthly annuity which is one twelfth of the amount of the
203 member's accrued benefit which is payable for the member's life. If the member dies before the
204 sum of the payments he or she receives equals his or her accumulated contributions on the
205 annuity starting date, the named beneficiary shall receive in one lump sum the difference between
206 the accumulated contributions at the annuity starting date and the total of the retirement income
207 payments made to the member.

208 (ee) "Normal retirement age" means the first to occur of the following:

209 (1) Attainment of age 50 years and the completion of 20 or more years of regular
210 contributory service, excluding active military duty, disability service, and accrued annual and sick
211 leave service;

212 (2) While still in covered employment, attainment of at least age 50 years and when the
213 sum of current age plus regular contributory years of service equals or exceeds 70 years;

214 (3) While still in covered employment, attainment of at least age 60 years and completion
215 of 10 years of regular contributory service; or

216 (4) Attainment of age 62 years and completion of five or more years of regular contributory
217 service.

218 (ff) "Participating public employer" means: (1) Any county commission, political
219 subdivision, or county 911 public safety answering point in the state which has elected to cover
220 its emergency medical services officers or 911 personnel, as defined in this article, under the
221 West Virginia Emergency Medical Services Retirement System; or (2) any county sheriff's office
222 or county commission who employs full-time home confinement officers; or (3) any county
223 commission who employs county firefighters or full-time home confinement officers.

224 (gg) "Plan" means the West Virginia Emergency Medical Services Retirement System
225 established by this article.

226 (hh) "Plan year" means the 12-month period commencing on January 1 of any designated
227 year and ending the following December 31.

228 (ii) "Political subdivision" means a county, city, or town in the state; any separate
229 corporation or instrumentality established by one or more counties, cities, or towns, as permitted
230 by law; any corporation or instrumentality supported in most part by counties, cities, or towns; and
231 any public corporation charged by law with the performance of a governmental function and
232 whose jurisdiction is coextensive with one or more counties, cities, or towns: *Provided*, That any
233 public corporation established under §7-15-4 of this code is considered a political subdivision
234 solely for the purposes of this article.

235 (jj) "Public Employees Retirement System" means the West Virginia Public Employees
236 Retirement System created by West Virginia Code.

237 (kk) "Regular interest" means the rate or rates of interest per annum, compounded
238 annually, as the board adopts in accordance with the provisions of this article.

239 (ll) "Required beginning date" means April 1 of the calendar year following the later of:

240 (1) The calendar year in which the member attains the applicable age as set forth in this
241 paragraph; or

242 (2) The calendar year in which he or she retires or otherwise separates from covered
243 employment.

244 The applicable age is:

245 (A) Seventy-two, if the individual attains age 72 prior to January 1, 2023;

246 (B) Seventy-three, if the individual attains age 72 after December 31, 2022, and attains
247 age 73 before January 1, 2033; or

248 (C) Seventy-five, if the individual attains age 74 after December 31, 2032; provided that
249 the applicable age shall be determined in accordance with the provisions of §401(a)(9) of the
250 Internal Revenue Code and the Treasury Regulations thereunder, as the same may be amended
251 from time to time.

252 (mm) "Retirant" means any member who commences an annuity payable by the plan.

253 (nn) "Retire" or "retirement" means a member's withdrawal from the employ of a
254 participating public employer and the commencement of an annuity by the plan.

255 (oo) "Retirement income payments" means the monthly retirement income payments
256 payable under the plan.

257 (pp) "Spouse" means the person to whom the member is legally married on the annuity
258 starting date.

259 (qq) "Surviving spouse" means the person to whom the member was legally married at
260 the time of the member's death and who survived the member.

261 (rr) "Totally disabled" means a member's inability to engage in substantial gainful activity
262 by reason of any medically determined physical or mental impairment that can be expected to
263 result in death or that has lasted or can be expected to last for a continuous period of not less
264 than 12 months.

265 For purposes of this subsection:

266 (1) A member is totally disabled only if his or her physical or mental impairment or
267 impairments is so severe that he or she is not only unable to perform his or her previous work as
268 an emergency medical services officer, 911 personnel, home confinement officer, or county
269 firefighter but also cannot, considering his or her age, education, and work experience, engage
270 in any other kind of substantial gainful employment which exists in the state regardless of whether:
271 (A) The work exists in the immediate area in which the member lives; (B) a specific job vacancy
272 exists; or (C) the member would be hired if he or she applied for work. For purposes of this article,
273 substantial gainful employment is the same definition as used by the United States Social Security
274 Administration.

275 (2) "Physical or mental impairment" is an impairment that results from an anatomical,
276 physiological, or psychological abnormality that is demonstrated by medically accepted clinical
277 and laboratory diagnostic techniques. The board may require submission of a member's annual
278 tax return for purposes of monitoring the earnings limitation.

279 (ss) "Year of service" means a member shall, except in his or her first and last years of
280 covered employment, be credited with years of service credit based upon the hours of service
281 performed as covered employment and credited to the member during the plan year based upon
282 the following schedule:

Hours of Service	Years of Service Credited
Less than 500	0
500 to 999	1/3
1000 to 1499	2/3
1500 or more	1

283
284 During a member's first and last years of covered employment, the member shall be
285 credited with one twelfth of a year of service for each month during the plan year in which the

286 member is credited with an hour of service for which contributions were received by the fund. A
287 member is not entitled to credit for years of service for any time period during which he or she
288 received disability payments under §16-5V-19 or §16-5V-20 of this code. Except as specifically
289 excluded, years of service include covered employment prior to the effective date.

290 Years of service which are credited to a member prior to his or her receipt of accumulated
291 contributions upon termination of employment pursuant to §16-5V-18 of this code or §5-10-30 of
292 this code shall be disregarded for all purposes under this plan unless the member repays the
293 accumulated contributions with interest pursuant to section §16-5V-18 of this code or has, prior
294 to the effective date, made the repayment pursuant to §5-10-18 of this code.

295 (tt) "911 personnel" means an individual employed in full-time employment with a county
296 911 public safety answering point.

**§16-5V-6f. Home confinement officers as members of the system. Transfer of home
confinement officers assets from Public Employees Retirement System.**

1 (a) Notwithstanding any other provision of this article to the contrary, any home
2 confinement officer hired on or after July 1, 2025, shall be a member of this retirement plan as a
3 condition of employment and upon membership does not qualify for membership in any other
4 retirement system administered by the board, so long as he or she remains employed in covered
5 employment: *Provided*, That any home confinement officer who has concurrent employment in
6 an additional job or jobs which would require the home confinement officer to be a member of any
7 other retirement system administered by the board shall participate in only one retirement system
8 administered by the board and the retirement system applicable to the concurrent employment
9 for which the home confinement officer has the earliest date of hire shall prevail. Notwithstanding
10 any other provision of this article to the contrary, a person employed as a home confinement
11 officer by a participating public employer may be a member of this retirement plan subject to the
12 provisions of this section. Full-time employment as a home confinement officer employed by a

13 sheriff's office or county commission which is a participating public employer satisfies the
14 definition of "covered employment" as defined in this article.

15 (b) Any home confinement officer who elects to become a member of the plan does not
16 qualify for active membership in any other retirement system administered by the board, so long
17 as he or she remains employed in covered employment: *Provided*, That any home confinement
18 officer who has concurrent employment in an additional job or jobs which would require the home
19 confinement officer to be an active member of the West Virginia Deputy Sheriffs Retirement
20 System, the West Virginia Municipal Police Officers and Firefighters Retirement System, or the
21 West Virginia Natural Resources Police Officer Retirement System shall actively participate in
22 only one retirement system administered by the board, and the retirement system applicable to
23 the concurrent employment for which the employee has the earliest date of hire shall prevail. Any
24 home confinement officer shall continue to receive his or her accrued benefit of other retirement
25 systems administered by the board, except in the case of Public Employees Retirement System,
26 when credit and assets are transferred to the Emergency Services Retirement System.

27 (c) Any home confinement officer who was employed as a home confinement officer prior
28 to July 1, 2026, but was not employed on July 1, 2026, shall become a member upon rehire as a
29 home confinement officer. For purposes of this section, the member's years of service and
30 credited service prior to July 1, 2026, may be counted so long as the home confinement officer
31 has not received the return of his or her accumulated contributions in the Public Employees
32 Retirement System pursuant to §5-10-30 of this code. The member may request in writing to have
33 his or her accumulated contributions and employer contributions from covered employment in the
34 Public Employees Retirement System transferred to the plan and will receive two percent of the
35 member's final average salary for each year transferred. If the conditions of this subsection are
36 met, all years of the home confinement officer's covered employment shall be counted as years
37 of service for the purposes of this article.

38 (d) Any home confinement officer employed in covered employment on July 1, 2026, shall
39 elect in writing on a form provided by the board whether or not to transfer into this plan on or
40 before August 31, 2026. Any home confinement officer who has elected to transfer into this plan
41 shall be given credited service at the time of transfer for all credited service then standing to the
42 home confinement officer's service credit in the Public Employees Retirement System regardless
43 of whether the credited service, as defined in §5-10-2 of this code, was earned as a home
44 confinement officer. All credited service standing to the transferring home confinement officer's
45 credit in the Public Employees Retirement System at the time of transfer into this plan shall be
46 transferred into the plan created by this article, and the transferring home confinement officer shall
47 be given the same credit for the purposes of this article for all service transferred from the Public
48 Employees Retirement System as that transferring home confinement officer would have received
49 from the Public Employees Retirement System as if the transfer had not occurred but with accrued
50 benefit multipliers subject to the provisions of §16-5V-12 of this code. In connection with each
51 transferring home confinement officer receiving credit for prior employment as provided in this
52 subsection, a transfer from the Public Employees Retirement System to this plan shall be made
53 pursuant to the procedures described in this article: *Provided*, That any member of this plan who
54 has elected to transfer from the Public Employees Retirement System into this plan pursuant to
55 this section may not, after having transferred into and becoming an active member of this plan,
56 reinstate to his or her credit in this plan any service credit relating to periods in which the member
57 was not in covered employment as a home confinement officer and which service was withdrawn
58 from the Public Employees Retirement System prior to his or her elective transfer into this plan.

59 (e) Once made, the election made under this section is irrevocable. All home confinement
60 officers electing to become members as described in this section shall be members as a condition
61 of employment and shall make the contributions required by this article.

62 (f) The Consolidated Public Retirement Board shall transfer assets of home confinement
63 officers who wish to participate in the Emergency Medical Services Retirement Act from the Public

64 Employees Retirement System Trust Fund into the West Virginia Emergency Medical Services
65 Trust Fund no later than April 30, 2027.

66 (g) The amount of assets to be transferred for each transferring home confinement officer
67 shall be computed using the July 1, 2026, actuarial valuation of the Public Employees Retirement
68 System, and updated with 7.25 percent annual interest to the date of the actual asset transfer.
69 The market value of the assets of the transferring home confinement officer in the Public
70 Employees Retirement System shall be determined as of the end of the month preceding the
71 actual transfer. To determine the computation of the asset share to be transferred, the board shall:

72 (1) Compute the market value of the Public Employees Retirement System assets as of
73 July 1, 2026, actuarial valuation date under the actuarial valuation approved by the board;

74 (2) Compute the actuarial accrued liabilities for all Public Employees Retirement System
75 retirees, beneficiaries, disabled retirees, and terminated inactive members as of July 1, 2026,
76 actuarial valuation date;

77 (3) Compute the market value of active member assets in the Public Employees
78 Retirement System as of July 1, 2026, by reducing the assets value under subdivision (1) of this
79 subsection by the inactive liabilities under subdivision (2) of this subsection;

80 (4) Compute the actuarial accrued liability for all active Public Employees Retirement
81 System members as of July 1, 2026, actuarial valuation date approved by the board;

82 (5) Compute the funded percentage of the active members' actuarial accrued liabilities
83 under the Public Employees Retirement System as of July 1, 2026, by dividing the active
84 members' market value of assets under subdivision (3) of this subsection by the active members'
85 actuarial accrued liabilities under subdivision (4) of this subsection;

86 (6) Compute the actuarial accrued liabilities under the Public Employees Retirement
87 System as of July 1, 2026, for active home confinement officers transferring to the Emergency
88 Medical Services Retirement System;

89 (7) Determine the assets to be transferred from the Public Employees Retirement System
90 to the Emergency Medical Services Retirement System by multiplying the active members' funded
91 percentage determined under subdivision (5) of this subsection by the transferring active
92 members' actuarial accrued liabilities under the Public Employees Retirement System under
93 subdivision (6) of this subsection and adjusting the asset transfer amount by interest at 7.25
94 percent for the period from the calculation date of July 1, 2026, through the first day of the month
95 in which the asset transfer is to be completed.

96 (h) Once a home confinement officer has elected to transfer from the Public Employees
97 Retirement System, transfer of that amount as calculated in accordance with the provisions of
98 subsection (g) of this section by the Public Employees Retirement System shall operate as a
99 complete bar to any further liability to the Public Employees Retirement System and constitutes
100 an agreement whereby the transferring home confinement officer forever indemnifies and holds
101 harmless the Public Employees Retirement System from providing him or her any form of
102 retirement benefit whatsoever until that emergency medical services officer obtains other
103 employment which would make him or her eligible to reenter the Public Employees Retirement
104 System with no credit whatsoever for the amounts transferred to the Emergency Medical Services
105 Retirement System.

106 (i) A home confinement officer who timely elected to transfer into this plan may request in
107 writing that the Consolidated Public Retirement Board compute a quote of the amount owed for
108 the member's transferred home confinement officer to be eligible for the 2.75 percent multiplier.
109 The quote shall be provided to the member within 60 days of the board's receipt of the written
110 request and the employer's verification of home confinement officer. Other Public Employees
111 Retirement System employment is eligible for transfer, but only at the 2 percent multiplier. To
112 determine the computation of the quote provided, the board shall:

113 (1) Compute the contributions made by each home confinement officer for eligible years
114 under Public Employees Retirement System.

115 (2) Compute the contributions that would have been required under Emergency Medical
116 Services Retirement System for eligible years.

117 (3) Compute the difference with interest at 7.25 percent that each home confinement
118 officer would have been required to pay had he or she originally participated in Emergency
119 Medical Services Retirement System for eligible years.

120 (4) Full reinstatement amount must be repaid no later than December 31, 2030, or prior
121 to the member's effective retirement date, whichever occurs first.

122 (j) Commencement of retirement for transferring home confinement officers may occur on
123 or after July 1, 2027.

§16-5V-6g. Public emergency medical services officers as members of the system.

**Transfer of public emergency medical services officers' assets from Public
Employees Retirement System.**

1 (a) Notwithstanding any other provision of this article to the contrary, any county
2 commission emergency medical services officer participating in the Public Employees Retirement
3 System who was hired by a county commission prior to the election of the county commission
4 becoming a participating public employer in this plan shall elect in writing on a form provided by
5 the board whether or not to transfer into this plan on or before August 31, 2026. Any emergency
6 medical services officer who has elected to transfer into this plan shall be given credited service
7 at the time of transfer for all credited service then standing to the emergency medical services
8 officer's service credit in the Public Employees Retirement System regardless of whether the
9 credited service, as defined in §5-10-2 of this code, was earned as a emergency medical services
10 officer. All credited service standing to the transferring emergency medical services officer's credit
11 in the Public Employees Retirement System at the time of transfer into this plan shall be
12 transferred into the plan created by this article, and the transferring emergency medical services
13 officer shall be given the same credit for the purposes of this article for all service transferred from
14 the Public Employees Retirement System as that transferring emergency medical services officer

15 would have received from the Public Employees Retirement System as if the transfer had not
16 occurred but with accrued benefit multipliers subject to the provisions of §16-5V-12 of this code.
17 In connection with each transferring emergency medical services officer receiving credit for prior
18 employment as provided in this subsection, a transfer from the Public Employees Retirement
19 System to this plan shall be made pursuant to the procedures described in this article: *Provided*,
20 That any member of this plan who has elected to transfer from the Public Employees Retirement
21 System into this plan pursuant to this section may not, after having transferred into and becoming
22 an active member of this plan, reinstate to his or her credit in this plan any service credit relating
23 to periods in which the member was not in covered employment as an emergency medical
24 services officer and which service was withdrawn from the Public Employees Retirement System
25 prior to his or her elective transfer into this plan.

26 (b) Any emergency medical services officer who elects to become a member of the plan
27 does not qualify for active membership in any other retirement system administered by the board,
28 so long as he or she remains employed in covered employment: *Provided*, That any emergency
29 medical services officer who has concurrent employment in an additional job or jobs which would
30 require the emergency medical services officer to be an active member of the West Virginia
31 Deputy Sheriffs Retirement System, the West Virginia Municipal Police Officers and Firefighters
32 Retirement System, or the West Virginia Natural Resources Police Officers Retirement System
33 shall actively participate in only one retirement system administered by the board, and the
34 retirement system applicable to the concurrent employment for which the employee has the
35 earliest date of hire shall prevail. Any emergency medical services officer shall continue to receive
36 his or her accrued benefit of other retirement systems administered by the board, except in the
37 case of Public Employees Retirement System, when credit and assets are transferred to the
38 Emergency Services Retirement System.

39 (c) Any emergency medical services officer who was employed as a county commission
40 emergency medical services officer prior to July 1, 2026, but was not employed on July 1, 2026,

41 shall become a member upon rehire as an emergency medical services officer. For purposes of
42 this section, the member's years of service and credited service prior to July 1, 2026, may be
43 counted so long as the emergency medical services officer has not received the return of his or
44 her accumulated contributions in the Public Employees Retirement System pursuant to §5-10-30
45 of this code. The member may request in writing to have his or her accumulated contributions and
46 employer contributions from covered employment in the Public Employees Retirement System
47 transferred to the plan and will receive two percent of the member's final average salary for each
48 year transferred. If the conditions of this subsection are met, all years of the emergency medical
49 services officer's covered employment shall be counted as years of service for the purposes of
50 this article.

51 (d) Once made, the election made under this section is irrevocable. All emergency medical
52 services officers electing to become members as described in this section shall be members as
53 a condition of employment and shall make the contributions required by this article.

54 (e) The Consolidated Public Retirement Board shall transfer assets of emergency medical
55 services officers who wish to participate in the Emergency Medical Services Retirement Act from
56 the Public Employees Retirement System Trust Fund into the West Virginia Emergency Medical
57 Services Trust Fund no later than March 31, 2027.

58 (f) The amount of assets to be transferred for each transferring emergency medical
59 services officer shall be computed using the July 1, 2026, actuarial valuation of the Public
60 Employees Retirement System, and updated with 7.25 percent annual interest to the date of the
61 actual asset transfer. The market value of the assets of the transferring emergency medical
62 services officer in the Public Employees Retirement System shall be determined as of the end of
63 the month preceding the actual transfer. To determine the computation of the asset share to be
64 transferred, the board shall:

65 (1) Compute the market value of the Public Employees Retirement System assets as of
66 July 1, 2026, actuarial valuation date under the actuarial valuation approved by the board;

67 (2) Compute the actuarial accrued liabilities for all Public Employees Retirement System
68 retirees, beneficiaries, disabled retirees, and terminated inactive members as of July 1, 2026,
69 actuarial valuation date;

70 (3) Compute the market value of active member assets in the Public Employees
71 Retirement System as of July 1, 2026, by reducing the assets value under subdivision (1) of this
72 subsection by the inactive liabilities under subdivision (2) of this subsection;

73 (4) Compute the actuarial accrued liability for all active Public Employees Retirement
74 System members as of July 1, 2025, actuarial valuation date approved by the board;

75 (5) Compute the funded percentage of the active members' actuarial accrued liabilities
76 under the Public Employees Retirement System as of July 1, 2026, by dividing the active
77 members' market value of assets under subdivision (3) of this subsection by the active members'
78 actuarial accrued liabilities under subdivision (4) of this subsection;

79 (6) Compute the actuarial accrued liabilities under the Public Employees Retirement
80 System as of July 1, 2026, for active emergency medical services officers transferring to the
81 Emergency Medical Services Retirement System;

82 (7) Determine the assets to be transferred from the Public Employees Retirement System
83 to the Emergency Medical Services Retirement System by multiplying the active members' funded
84 percentage determined under subdivision (5) of this subsection by the transferring active
85 members' actuarial accrued liabilities under the Public Employees Retirement System under
86 subdivision (6) of this subsection and adjusting the asset transfer amount by interest at 7.25
87 percent for the period from the calculation date of July 1, 2026, through the first day of the month
88 in which the asset transfer is to be completed.

89 (g) Once an emergency medical services officer has elected to transfer from the Public
90 Employees Retirement System, transfer of that amount as calculated in accordance with the
91 provisions of subsection (f) of this section by the Public Employees Retirement System shall
92 operate as a complete bar to any further liability to the Public Employees Retirement System and

93 constitutes an agreement whereby the transferring emergency medical services officer forever
94 indemnifies and holds harmless the Public Employees Retirement System from providing him or
95 her any form of retirement benefit whatsoever until that emergency medical services officer
96 obtains other employment which would make him or her eligible to reenter the Public Employees
97 Retirement System with no credit whatsoever for the amounts transferred to the Emergency
98 Medical Services Retirement System.

99 (h) An emergency medical services officer who timely elected to transfer into this plan may
100 request in writing that the Consolidated Public Retirement Board compute a quote of the amount
101 owed for the member's transferred emergency medical services officer to be eligible for the 2.75
102 percent multiplier. The quote shall be provided to the member within 60 days of the board's receipt
103 of the written request and the employer's verification of emergency medical services officer. Other
104 Public Employees Retirement System employment is eligible for transfer, but only at the 2 percent
105 multiplier. To determine the computation of the quote provided, the board shall:

106 (1) Compute the contributions made by each emergency medical services officer for
107 eligible years under Public Employees Retirement System.

108 (2) Compute the contributions that would have been required under Emergency Medical
109 Services Retirement System for eligible years.

110 (3) Compute the difference with interest at 7.25 percent that each emergency medical
111 services officer would have been required to pay had he or she originally participated in
112 Emergency Medical Services Retirement System for eligible years.

113 (4) Full reinstatement amount must be repaid no later than December 31, 2030, or prior
114 to the member's effective retirement date, whichever occurs first.

115 (i) Commencement of retirement for transferring emergency medical services officers may
116 occur on or after April 1, 2027.

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.

To take effect July 1, 2026.

.....
President of the Senate

.....
Speaker of the House of Delegates

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

.....
Governor