

WEST VIRGINIA LEGISLATURE

2026 REGULAR SESSION

Introduced

Senate Bill 774

**FISCAL
NOTE**

By Senators Oliverio, Clements, Rose, and Weld

[Introduced February 5, 2026; referred

to the Committee on Pensions; and then to the

Committee on Finance]

1 A BILL to amend the Code of West Virginia, 1931, as amended, by adding a new section,
2 designated §16-5V-6g, relating to emergency medical services; allowing certain county
3 emergency medical services officers to participate in the Emergency Medical Services
4 Retirement System; providing for emergency medical services officers currently
5 participating in the Public Employees Retirement System to elect to begin participating in
6 the Emergency Medical Services Retirement System; detailing process and timing of
7 emergency medical services officer's election to participate in the Emergency Medical
8 Services Retirement System; and allowing qualified years of service of certain emergency
9 medical services officers' assets to transfer to the Emergency Medical Services
10 Retirement System from the Public Employees Retirement System.

Be it enacted by the Legislature of West Virginia:

ARTICLE 5V. EMERGENCY MEDICAL SERVICES RETIREMENT SYSTEM ACT.

**§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 the
5 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 at
7 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. In
17 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 to
23 periods in which the member was not in covered employment as an emergency medical services
24 officer and which service was withdrawn from the Public Employees Retirement System prior to
25 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 Officer 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 a emergency medical services officer. For purposes of this
42 section, the member's years of service and credited service prior to July 1, 2026, may be counted
43 so long as the emergency medical services officer has not received the return of his or her
44 accumulated contributions in the Public Employees Retirement System pursuant to §5-10-30 of
45 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 this
50 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 a
53 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 in

88 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 (g) 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 home confinement officer forever indemnifies
94 and holds harmless the Public Employees Retirement System from providing him or her any form
95 of retirement benefit whatsoever until that emergency medical services officer obtains other
96 employment which would make him or her eligible to reenter the Public Employees Retirement
97 System with no credit whatsoever for the amounts transferred to the Emergency Medical Services
98 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 home confinement officer to be eligible for the 2.75 percent
102 multiplier. The quote shall be provided to the member within 60 days of the board's receipt of the
103 written request and the employer's verification of emergency medical services officer. Other Public
104 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 to
114 the member's effective retirement date, whichever occurs first.

115 (i) Commencement of retirement for transferring home confinement officers may occur on

116 or after April 1, 2027.

NOTE: The purpose of this bill is to allow emergency medical services officers currently participating in the Public Employees Retirement System to elect to begin participating in the Emergency Medical Services Retirement System.

Strike-throughs indicate language that would be stricken from a heading or the present law and underscoring indicates new language that would be added.