

WEST VIRGINIA LEGISLATURE

2026 REGULAR SESSION

Introduced

Senate Bill 997

FISCAL
NOTE

By Senator Smith (Mr. President)

[Introduced February 19, 2026; referred
to the Committee on Pensions]

1 A BILL to amend the Code of West Virginia, 1931, as amended, by adding a new section,
 2 designated §5-10-52a, relating to the Public Employees Retirement Act; and allowing
 3 certain staff members at certain formerly state-run hospitals to begin drawing their
 4 retirement benefit annuity before age 60 in certain circumstances.

Be it enacted by the Legislature of West Virginia:

**CHAPTER 5. GENERAL POWERS AND AUTHORITY OF THE
 GOVERNOR, SECRETARY OF STATE AND ATTORNEY GENERAL;
 BOARD OF PUBLIC WORKS; MISCELLANEOUS AGENCIES,
 COMMISSIONS, OFFICES, PROGRAMS, ETC.**

ARTICLE 10. WEST VIRGINIA PUBLIC EMPLOYEES RETIREMENT ACT.

**§5-10-52a. Specific provisions relating to certain staff members participating in the Public
 Employees Retirement System employed by Hopemont Hospital, Jackie Withrow
 Hospital, John Manchin Sr. Health Care Center, and Lakin State Hospital.**

1 Notwithstanding any provision of this code to the contrary, any staff member participating
 2 in the Public Employees Retirement System employed by Hopemont Hospital, Jackie Withrow
 3 Hospital, John Manchin Sr. Health Care Center, or Lakin State Hospital on October 21, 2025 who
 4 were over the age of 55 on that date and who, but for not having yet attained the age of 60 if
 5 participating in Tier 1 of the Public Employees Retirement System, or the age of 62 if participating
 6 in Tier 2 of the Public Employees Retirement System, would be eligible for retirement under the
 7 provisions of this article, shall be permitted to begin drawing his or retirement benefit as though he
 8 or she had attained that age: *Provided*, That nothing in this section may be construed to otherwise
 9 alter any other provision of this article relating to the members described in this section:

10 *Provided, however*, That for purposes of coverage in retirement by the Public Employees
 11 Insurance agency, the individuals described in this section shall be considered to have retired from

12 a participating public employer upon receiving their retirement benefit annuity.

NOTE: The purpose of this bill is to allow certain vested staff members participating in the Public Employees Retirement System employed by Hopemont Hospital, Jackie Withrow Hospital, John Manchin Sr. Health Care Center, and Lakin State Hospital to begin drawing their retirement annuity before the normal age of retirement.

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