

FILED

2002 APR -3 P 5:40

OFFICE OF THE SECRETARY OF STATE
WEST VIRGINIA

WEST VIRGINIA LEGISLATURE

SECOND REGULAR SESSION, 2002



ENROLLED

COMMITTEE SUBSTITUTE
FOR

House Bill No. 2808

(By Delegates Stemple, Mezzatesta, Williams,
Wamer, Fletcher, Butcher and Martin)



Passed March 9, 2002

In Effect from Passage

FILED

2002 APR -3 P 5:41

WEST VIRGINIA
SECRETARY OF STATE

ENROLLED

COMMITTEE SUBSTITUTE

FOR

H. B. 2808

(BY DELEGATES STEMPLER, MEZZATESTA, WILLIAMS,
WARNER, FLETCHER, BUTCHER AND MARTIN)

[Passed March 9, 2002; in effect from passage.]

AN ACT to amend and reenact section twenty-four, article fourteen-d, chapter seven of the code of West Virginia, one thousand nine hundred thirty-one, as amended, relating to providing that certain sheriffs with prior service as deputy sheriff and sheriff may participate in the deputy sheriffs' retirement system.

Be it enacted by the Legislature of West Virginia:

That section twenty-four, article fourteen-d, chapter seven of the code of West Virginia, one thousand nine hundred thirty-one, as amended, be amended and reenacted to read as follows:

ARTICLE 14D. DEPUTY SHERIFF RETIREMENT SYSTEM ACT.

§7-14D-24. Service as sheriff.

1 (a) Any active member who after the effective date of this
2 article is elected sheriff of a county in West Virginia may elect
3 to continue as a member in this plan by paying the amounts
4 required by section seven of this article. Upon the election,
5 service as a sheriff shall be treated as covered employment and
6 the sheriff is not entitled to any credit for that service under any
7 other retirement system of the state.

8 (b) Any member retired as a deputy sheriff under this plan
9 who, after the effective date of this article, is elected or ap-
10 pointed sheriff of a county in West Virginia, may elect to
11 suspend the payment of his or her annuity from this system and
12 again become a contributing member of this plan by paying the
13 amounts required by section seven of this article. Upon such
14 election, service as a sheriff shall be treated as covered employ-
15 ment, and the sheriff is not entitled to any credit for that period
16 of elected service under any other retirement system of the
17 state. At the end of his or her term as sheriff, the member
18 making such election shall have his or her annuity recalculated,
19 and shall be granted an adjustment to his or her previous
20 annuity to include the period of elected service.

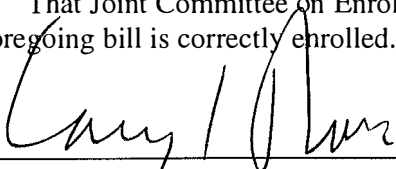
21 (c) Any person, who before the effective date of this article
22 was elected sheriff of a county in West Virginia, and who,
23 immediately prior to being so elected sheriff, was a deputy
24 sheriff with at least twenty years of credited service under the
25 public employees retirement system, with at least sixteen of
26 those twenty years having been earned as a deputy sheriff, may
27 elect to become a member of this plan by paying the amounts
28 required by section seven of this article. Upon such election,
29 service shall be transferred from the public employees retire-
30 ment system pursuant to section eight of this article: *Provided,*
31 That any service as a sheriff shall be treated as covered employ-
32 ment under this article and the sheriff is not entitled to any
33 credit for that service as a sheriff or the prior service as a
34 deputy sheriff under any other retirement system of the state.

35 Persons making the election provided for in this subsection
36 shall do so within ten days of taking office as sheriff or within
37 ten days of the effective date of this provision.

38 (d) Any person who, before the effective date of this article,
39 was elected sheriff of a county of West Virginia, and who, prior
40 to being elected sheriff, was a deputy sheriff and also a previ-
41 ously elected sheriff, with credited service under the public
42 employees retirement system, with at least sixteen of those
43 years having been earned as combined service as a deputy
44 sheriff and a previously elected sheriff, may elect to become a
45 member of this plan by paying the amounts required by section
46 seven of the article. Upon such election, service shall be
47 transferred from the public employees retirement system
48 pursuant to section eight of this article: *Provided*, That a
49 person's service as a sheriff shall be treated as covered employ-
50 ment under this article, and that person is not entitled to any
51 credit for that service as a sheriff or deputy sheriff under any
52 other retirement system of this state. A person making the
53 election provided in this subsection shall do so within thirty
54 days of taking office as a sheriff or within thirty days of the
55 effective date of this provision.

Enr. Com. Sub. for H. B. 2808] 4

That Joint Committee on Enrolled Bills hereby certifies that the foregoing bill is correctly enrolled.



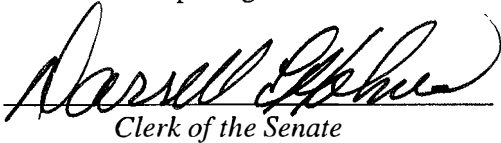
Chairman Senate Committee



Chairman House Committee

Originating in the House.

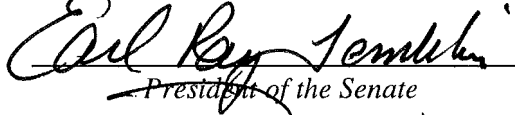
In effect from passage.



Clerk of the Senate



Clerk of the House of Delegates



President of the Senate



Speaker of the House of Delegates

The within is approved this the 2nd
day of April 2002.



Governor

PRESENTED TO THE

GOVERNOR

Date 3/20/02

Time 3:50