

**WEST VIRGINIA LEGISLATURE**

**2023 REGULAR SESSION**

**ENROLLED**

**Committee Substitute**

**for**

**House Bill 3211**

BY DELEGATES STORCH, ANDERSON, KUMP, REYNOLDS,

FERRELL, HITE, C. PRITT, MARPLE, HORNBUCKLE,

E. PRITT AND FLUHARTY

[Passed March 8, 2023; in effect ninety days from passage.]

OFFICE OF WEST VIRGINIA  
SECRETARY OF STATE

2023 MAR 29 P 5:18

FILED

HB 3211

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1 AN ACT to amend the Code of West Virginia, 1931, as amended, by adding thereto a new section,  
2 designated §8-22A-27a, relating to authorizing service credit for unused accrued annual  
3 or sick leave days in the West Virginia Municipal Police Officers and Firefighters  
4 Retirement System; defining an annual leave or sick leave day as eight hours; authorizing  
5 service credit for unused accrued annual or sick leave days in the West Virginia Municipal  
6 Police Officers and Firefighters Retirement System; and limiting credit for accrued annual  
7 or sick leave days to the policy offered by the State of West Virginia for its state employees  
8 who are covered by the rules of the West Virginia Division of Personnel.

*Be it enacted by the Legislature of West Virginia:*

**ARTICLE 22A. WEST VIRGINIA MUNICIPAL POLICE OFFICERS AND FIREFIGHTERS  
RETIREMENT SYSTEM.**

**§8-22A-27a. Credit toward retirement for member's 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 the effective date of  
4 this section, elect to use the days which stand to the member's credit with the member's last  
5 covered employment employer at the time of retirement to acquire additional credited service in  
6 this retirement system. The days shall be applied on the basis of one days' credit granted for each  
7 one day of accrued annual or sick leave days, with each month of retirement service credit to  
8 equal 20 days and with any remainder of 10 days or more to constitute a full month of additional  
9 credit and any remainder of less than 10 days to be dropped and not used, notwithstanding any  
10 provisions of this code to the contrary. The credited service shall be allowed and not considered  
11 to controvert the requirement of no more than 12 months' credited service in any year's period.

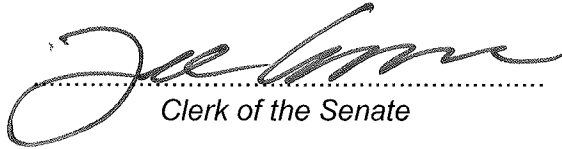
12 (c) Members employed by any covered employment employer with a policy for the accrual  
13 of unused sick and annual leave which is more generous than that of the State of West Virginia  
14 for its state agency employees shall receive service credit only for accrued unused sick and

15 annual leave as provided for by the State of West Virginia for state employees who are covered  
16 by the rules of the West Virginia Division of Personnel. If the member is paid in a lump sum for  
17 accrued unused leave, the Board shall not consider the lump sum payment as annual  
18 compensation in computing a member's final average salary.

The Clerk of the House of Delegates and the Clerk of the Senate hereby certify that the foregoing bill is correctly enrolled.



Clerk of the House of Delegates



Clerk of the Senate

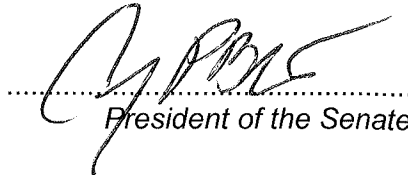
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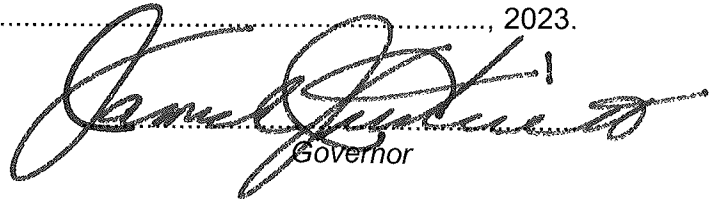
FILED

Originated in the House of Delegates.

In effect ninety days from passage.

  
Speaker of the House of Delegates  
President of the Senate

The within is Approved this the 29<sup>th</sup>  
Day of March, 2023.

  
Governor

PRESENTED TO THE GOVERNOR

MAR 20 2023

Time 11:49am