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**HOUSE BILL NO. 82**

Offered January 11, 2006

Prefiled December 16, 2005

*A BILL to amend and reenact § 51.1-212 of the Code of Virginia, relating to membership in the Virginia Law Officers' Retirement System.*

Patrons—Spruill, Barlow, Carrico, Hull, Lewis, Marsden, Melvin, Scott, J.M., Ware, O. and Wittman

Referred to Committee on Appropriations

**Be it enacted by the General Assembly of Virginia:****1. That § 51.1-212 of the Code of Virginia is amended and reenacted as follows:****§ 51.1-212. Definitions.**

As used in this chapter, unless the context requires a different meaning:

"Employee" means any (i) member of the Capitol Police Force as described in § 30-34.2:1, (ii) campus police officer appointed under the provisions of Chapter 17 (§ 23-232 et seq.) of Title 23, (iii) game warden in the Department of Game and Inland Fisheries appointed under the provisions of Chapter 2 (§ 29.1-200 et seq.) of Title 29.1, (iv) special agent of the Department of Alcoholic Beverage Control appointed under the provisions of Chapter 1 (§ 4.1-100 et seq.), (v) law-enforcement officer employed by the Virginia Marine Resources Commission as described in § 9.1-101, (vi) correctional officer as the term is defined in § 53.1-1, and including correctional officers employed at a juvenile correction facility as the term is defined in § 66-25.3, (vii) any *probation or* parole officer appointed pursuant to § 16.1-233 or § 53.1-143, and (viii) any commercial vehicle enforcement officer employed by the Department of State Police.

"Member" means any person included in the membership of the Retirement System as provided in this chapter.

"Normal retirement date" means a member's sixtieth birthday.

"Retirement System" means the Virginia Law Officers' Retirement System.

**2. That the present value of benefits accrued on behalf of members of the Virginia Retirement System (§ 51.1-124.1 et seq. of the Code of Virginia) who become members of the Virginia Law Officers' Retirement System (§ 51.1-211 et seq. of the Code of Virginia) on the effective date of this act shall be transferred from the assets of the Virginia Retirement System to the Virginia Law Officers' Retirement System.**

**3. That any probation or parole officer appointed pursuant to § 16.1-233 of the Code of Virginia who is in service on June 30, 2006, and July 1, 2006, shall not be subject to the condition under the Virginia Law Officers' Retirement System that the person have five or more years of creditable service (i) as a member in the Virginia Law Officers' Retirement System, (ii) as a member in the State Police Officers' Retirement System (§ 51.1-200 et seq. of the Code of Virginia), or (iii) while earning the benefits permitted by § 51.1-138 of the Code of Virginia in order to be eligible to retire under the Virginia Law Officers' Retirement System. However, such probation or parole officers must have at least five years of creditable service, as such term is defined in § 51.1-124.3 of the Code of Virginia, and must meet such other applicable conditions under the Virginia Law Officers' Retirement System in order to be eligible to retire under such retirement system.**

**4. That any probation or parole officer appointed pursuant to § 16.1-233 who becomes a member of the Virginia Law Officers' Retirement System on or after July 1, 2006, shall be eligible only for those retirement benefits under such system that are provided to employees who commence employment or reemployment on or after July 1, 2001.**

**5. That the provisions of this act shall not increase, decrease, or affect in any way the retirement allowance or retirement benefit of any person who retired prior to July 1, 2006, under any retirement system administered by the Virginia Retirement System.**