

2011 SESSION

SENATE SUBSTITUTE

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SENATE BILL NO. 1458

AMENDMENT IN THE NATURE OF A SUBSTITUTE

(Proposed by the Senate Committee on Finance
on February 2, 2011)

(Patron Prior to Substitute—Senator Houck)

A BILL for the relief of Richard Hitt.

Whereas, Richard Hitt served in the City of Fredericksburg Sheriff's Office for a total of 14.5 years and the Spotsylvania County Sheriff's Office for 1.5 years, thereby having 16 years of Hazardous Duty service, and was a member of the Virginia Retirement System as a result of such service; and

Whereas, Mr. Hitt purchased an additional four years of service for his active duty military service; and

Whereas, at the time of purchase he was led to believe that the four years of service would be certified as Hazardous Duty service; and

Whereas, when Mr. Hitt was two weeks away from his original retirement date, he was informed by letter from the Virginia Retirement System that his military service would not be certified as Hazardous Duty; and

Whereas, the Virginia Retirement System may have failed to make the City of Fredericksburg Human Resource representative aware that Mr. Hitt's military service could not be certified as Hazardous Duty during pre-retirement counseling; and

Whereas, by the time the inaccurate advice was discovered, Mr. Hitt had already submitted his application to retire, the City of Fredericksburg Sheriff's Office had already hired and trained his replacement, and Mr. Hitt did not have a job to which he could return and remedy the situation and qualify for the hazardous duty retirement supplement described in subsection B of § 51.1-206; and

Whereas, Mr. Hitt has no other means to obtain adequate relief except by action of this body; now, therefore,

Be it enacted by the General Assembly of Virginia:

1. § 1. Upon execution of a release of all claims he may have against the Commonwealth or any agency, instrumentality, officer, employee, or political subdivision in connection with the aforesaid occurrence, and notwithstanding any other provision of law, the Virginia Retirement System is authorized to pay to Richard Hitt the allowance described in subsection B of § 51.1-206 of the Code of Virginia effective with his revised retirement date of February 1, 2011.

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