

1 VIRGINIA ACTS OF ASSEMBLY — CHAPTER

2 *An Act to amend and reenact § 51.1-142 of the Code of Virginia, relating to purchase of prior service*
3 *credit by certain members of the Virginia Retirement System.*

4 [H 1746]

5 Approved

6 **Be it enacted by the General Assembly of Virginia:**7 **1. That § 51.1-142 of the Code of Virginia is amended and reenacted as follows:**

8 § 51.1-142. Prior service or membership credit for certain members.

9 A. Any member in service may purchase credit for service lost as a result of the following:

10 1. Rejection of membership in the retirement system.

11 2. Cessation of membership under this chapter because of the withdrawal of his accumulated
12 contributions.13 3. Exclusion from membership because of being a member of the General Assembly or other state
14 officer elected by the people.15 4. Termination of service as an officer or employee of a political subdivision in a position which
16 subsequently became covered by the retirement system and for which prior service credit was granted.17 In order to receive credit for the service, the member must pay an amount equal to the contributions
18 that he would have made during the entire period to be credited, assuming that the member contribution
19 rate specified in this chapter as of the date of payment had been in effect during the entire period and
20 that the higher of the member's creditable compensation or average final compensation as of the date of
21 payment had been received during the entire period.22 When a member requests credit for a portion of the period, the most recent portion shall be credited.
23 Payment may be made in a lump sum or by an additional payroll deduction. Only one additional
24 deduction shall be permitted at any time. Should the additional deduction be terminated prior to
25 purchasing the entire period which might otherwise be credited, the member shall be credited with the
26 number of additional months of service for which payments are made. If the additional deduction is
27 continued beyond the point at which the entire period has been purchased, the member shall be credited
28 with no more than the entire period which might otherwise have been credited and the excess amount
29 deducted shall be refunded to the member.30 B. Any member granted a leave of absence for any of the following reasons may purchase limited
31 service on the basis set forth in subsection A of this section:32 1. Up to four years of service for any leave of absence for educational purposes or for temporary
33 employment with the General Assembly.34 2. Up to four years of service subsequent to January 1, 1964, for any leave of absence due to illness
35 or disability or service which was temporarily terminated due to illness or disability.36 C. Any member in service who was denied membership because of having attained age sixty when
37 first employed or reemployed may purchase all or any portion of service lost as a result of denial upon
38 payment in a lump sum of the amount the member would have contributed had he been allowed to
39 participate in the system. In order for the additional service to be considered in the computation of any
40 retirement allowance payable in the event of retirement for disability, the member shall submit a medical
41 report satisfactory to the Medical Board at the time payment is made showing that the member is of
42 sound mind and body.

43 D. Service may be credited at no cost under the following circumstances:

44 1. Any member who was a member of the abolished system and who was in service on March 1,
45 1952, shall receive credit for service rendered as a state employee or teacher prior to July 1, 1942,
46 provided the member has not received a refund of accumulated contributions since becoming a member
47 of the abolished system.48 2. Any member in service who is credited with five or more years of membership service who
49 rendered full-time salaried service as a state employee or teacher prior to July 1, 1942, may receive
50 credit for same.51 3. Any member who is a teacher may receive credit for service rendered as a nonprofessional
52 employee of a school board provided the school board has extended coverage to its nonprofessional
53 employees and granted credit for service rendered prior to the effective date of coverage.54 4. Any vested member who is a teacher shall receive up to two years of service credit for any
55 involuntary leave of absence, without pay, required by local school division policies related to pregnancy
56 or childbirth provided (i) the member was on such leave from a covered position prior to July 1, 1974,

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(ii) the member has not withdrawn all accumulated contributions, and (iii) the member reenters service in a covered position within one year after the last date of such leave. In such instances, the employer, or its successors, which had such policies in place and applied same to the teacher seeking additional service credit shall be liable for the cost of providing such service credit.

5. Any member may receive credit for service rendered in the armed forces of the United States provided (i) the member was on leave of absence from a covered position, (ii) the discharge from the armed forces was not dishonorable, (iii) the member has not withdrawn his accumulated contributions, and (iv) the member reenters service in a covered position within one year after discharge from the armed forces. No period of service rendered, through reenlistment, beyond the cessation of hostilities shall be creditable service.

E. Any member of the abolished system may transfer accumulated contributions in that system to the retirement system within one year after becoming a member of the retirement system.

F. Any vested member in service who (i) by virtue of an order of a court of this Commonwealth granting special police powers, enforced the laws of the Commonwealth at any time between 1964 and 1981 as a uniformed law-enforcement officer in any incorporated or unincorporated town in any county with a population between 55,000 and 60,000, as reported in the 1990 census of the population of the United States, and at the time of such member's law-enforcement service, such county participated in the Virginia Retirement System; (ii) reentered service in a covered position; and (iii) has not withdrawn his accumulated contributions, may purchase prior service credit pursuant to § 51.1-144.