

## 1 VIRGINIA ACTS OF ASSEMBLY — CHAPTER

2 *An Act to amend and reenact §§ 51.1-155.1 and 51.1-155.2 of the Code of Virginia, relating to early*  
3 *retirement provisions for certain state employees and local government officials.*

4 [H 1407]

5 Approved

6 **Be it enacted by the General Assembly of Virginia:**7 **1. That §§ 51.1-155.1 and 51.1-155.2 of the Code of Virginia are amended and reenacted as**  
8 **follows:**

9 § 51.1-155.1. Exceptions from general early retirement provisions for certain state employees.

10 A. Members of the retirement system (i) whose positions are described by subdivision A 2 (except  
11 members of the Judicial Retirement System (§ 51.1-300 et seq.)), A 3, A 4 (except officers elected by  
12 popular vote), A 7, A 13, A 14, A 15, A 16, A 17, or A 19 of § 2.1-116 or (ii) agency heads appointed  
13 by a state board, state commission, or state council, or school division superintendents appointed by a  
14 school board pursuant to § 22.1-60, who are involuntarily separated from state service and who have  
15 twenty or more years of creditable service at the date of separation, may retire with the retirement  
16 allowance as provided in subdivision A 1 of § 51.1-155, upon attaining age fifty-five.

17 B. For the purposes of this section, "involuntary separation" means any dismissal, requested  
18 resignation, or failure to obtain reappointment, except in case of a conviction for a felony or crime  
19 involving moral turpitude or dishonesty.

20 C. Any state employee who retires under the provisions of this section on or after January 1, 1994,  
21 shall be eligible to participate in the state health insurance program as provided in § 2.1-20.1 and  
22 receive group life insurance benefits as provided in subsection B of § 51.1-505.

23 § 51.1-155.2. Exceptions from general early retirement provisions for certain local government  
24 officials.

25 A. Members of the retirement system who (i) are appointed county administrator pursuant to  
26 § 15.1-115 or § 15.1-704, urban county executive pursuant to § 15.1-731, county executive pursuant to  
27 § 15.1-595, county manager pursuant to § 15.1-631 or § 15.1-674, or city or town manager pursuant to  
28 §§ 15.1-795, 15.1-920, or § 15.1-926; (ii) are involuntarily separated from service; and (iii) have twenty  
29 or more years of creditable service at the date of separation, may retire without the reduction in  
30 retirement allowance required by § 51.1-155 A 2 upon attaining age fifty-five.

31 B. For the purposes of this section, "involuntary separation" means any dismissal, requested  
32 resignation, or failure to obtain reappointment, except in case of a conviction for a felony or crime  
33 involving moral turpitude or dishonesty.

34 C. The cost of this provision shall be borne by the locality.

35 **2. That the provisions of this act amending § 51.1-155.2 of the Code of Virginia shall apply to**  
36 **employees of political subdivisions unless the employer notifies the Board of Trustees of the**  
37 **Virginia Retirement System otherwise in writing on or before July 1, 1996.**

ENROLLED

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