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SENATE BILL NO. 137

Offered January 10, 1996

A BILL to amend and reenact §§ 51.1-201, 51.1-202, and 51.1-203 of the Code of Virginia, relating to membership in the State Police Officers' Retirement System.

Patrons—Colgan, Goode, Marye, Potts, Reasor, Waddell and Wampler; Delegates: Brickley, Marshall, Parrish and Rollison

Referred to the Committee on Finance

Be it enacted by the General Assembly of Virginia:

1. That §§ 51.1-201, 51.1-202, and 51.1-203 of the Code of Virginia are amended and reenacted as follows:

§ 51.1-201. Definitions.

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

"Employee" means a ~~state police~~ sworn law-enforcement officer employed on a full-time basis.

"Law-enforcement officer" means an employee who is responsible for the prevention and detection of crime and the enforcement of the penal, traffic, or highway laws of the Commonwealth, and shall include a state police officer, capitol police officer, special agent of the Department of Alcoholic Beverage Control, officer of the Virginia Marine Patrol or the Virginia Port Authority, game warden in the enforcement division of the Department of Game and Inland Fisheries, investigator in the security division of the State Lottery Department, member of the enforcement division of the Department of Motor Vehicles appointed pursuant to § 46.2-217, or police officer at a public institution of higher education in a campus police department established pursuant to Chapter 17 (§ 23-232 et seq.) of Title 23.

"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 State Police Officers' Retirement System.

§ 51.1-202. Membership in retirement system.

Membership in the retirement system shall be compulsory for all ~~state police~~ law-enforcement officers.

§ 51.1-203. Creditable service.

A. Service qualifying for credit under the provisions of the Virginia Retirement System shall be included as creditable service for the purposes of this chapter, provided the requirements set forth in Chapter 1 (§ 51.1-124.1 et seq.) of this title for crediting service have been complied with and any payment required is credited in the member's contribution account.

B. Service purchased in accordance with the provisions of § 51.1-143 shall not be considered:

1. In determining the actuarial equivalent for early retirement.

2. In determining the twenty years of service requirement of subsection B of § 51.1-206, except for that which had been rendered in a hazardous position and had been credited in the retirement system of a political subdivision of this Commonwealth.

3. Twice in determining any disability allowance payable under this chapter.

C. If a member ceases to be employed as a ~~state police~~ law-enforcement officer, has not received a refund of the accumulated contributions credited to his member's contribution account, and accepts employment in a position covered by the Virginia Retirement System or the Judicial Retirement System, he shall be entitled to credit for his previous creditable service under this chapter. His accumulated contributions shall be transferred and credited to his member's contribution account in the appropriate retirement system. Future retirement rights shall be as set forth under the provisions of the appropriate retirement system.

INTRODUCED

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