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HOUSE BILL NO. 502

Offered January 11, 2006

Prefiled January 9, 2006

A BILL to amend and reenact § 51.1-1405 of the Code of Virginia, relating to health benefits for retired judges.

Patron—Armstrong

Referred to Committee on Appropriations

Be it enacted by the General Assembly of Virginia:**1. That § 51.1-1405 of the Code of Virginia is amended and reenacted as follows:**

§ 51.1-1405. Participation in the state retiree health benefits program.

A. As used in this section, unless the context requires a different meaning:

"Involuntarily separated" means separated from state service as the result of any dismissal, requested resignation, or failure to obtain reappointment, excluding a separation resulting from a conviction for a felony or crime involving moral turpitude or dishonesty or a separation related to the job performance or misconduct of the state employee.

"Retiree health benefits program" or "program" means the plan for providing health insurance coverage for retired state employees provided pursuant to subsection E of § 2.2-2818.

"State employee" means the same as that term is defined in § 2.2-2818.

"State retiree" means a state employee retired under the Virginia Retirement System, State Police Officers' Retirement System, ~~Judicial Retirement System~~, Virginia Law Officers' Retirement System, or any retirement system authorized pursuant to § 51.1-126, who is eligible to receive a monthly retirement annuity from that retirement system.

B. A state retiree shall be eligible to participate in the retiree health benefits program only if he makes an election to participate in the program within thirty-one days following the date of termination of employment with the Commonwealth. A retired state employee who fails to elect to participate in the state health plan within thirty-one days of the effective date of retirement, or who, once having elected to participate, discontinues participation, is barred from participating in the state health plan thereafter.

C. Any state retiree who was involuntarily separated who on July 1, 1999, is participating in the retiree health benefits program and is receiving monthly retirement annuity payments may elect, by notifying the Virginia Retirement System and the Department of Human Resource Management before September 1, 1999, to cease receiving monthly retirement annuity payments until reapplying for such benefits at a later date and to continue participation in the retiree health benefits program.

D. A state employee who retires under the Judicial Retirement System shall be eligible to participate in the retiree health benefits program if he makes an election to participate in the program within 31 days following the date of his retirement without regard to the date of his termination of employment with the Commonwealth.

INTRODUCED

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