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SENATE BILL NO. 261

Offered January 9, 2008

Prefiled January 8, 2008

A *BILL to amend and reenact § 51.1-212 of the Code of Virginia, relating to membership in the Virginia Law Officers' Retirement System.*

Patrons—Deeds; Delegate: Vanderhye

Referred to Committee on Finance

Be it enacted by the General Assembly of Virginia:

1. That § 51.1-212 of the Code of Virginia is amended and reenacted as follows:

§ 51.1-212. Definitions.

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

"Employee" means any (i) member of the Capitol Police Force as described in § 30-34.2:1, (ii) campus police officer appointed under the provisions of Chapter 17 (§ 23-232 et seq.) of Title 23, (iii) conservation police officer in the Department of Game and Inland Fisheries appointed under the provisions of Chapter 2 (§ 29.1-200 et seq.) of Title 29.1, (iv) special agent of the Department of Alcoholic Beverage Control appointed under the provisions of Chapter 1 (§ 4.1-100 et seq.), (v) law-enforcement officer employed by the Virginia Marine Resources Commission as described in § 9.1-101, (vi) correctional officer as the term is defined in § 53.1-1, and including correctional officers employed at a juvenile correction facility as the term is defined in § 66-25.3, (vii) any parole officer appointed pursuant to § 53.1-143, and (viii) any commercial vehicle enforcement officer employed by the Department of State Police, and (ix) conservation officer of the Department of Conservation and Recreation appointed pursuant to § 10.1-115.

"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 Virginia Law Officers' Retirement System.

2. That the present value of benefits accrued on behalf of members of the Virginia Retirement System (§ 51.1-124.1 et seq. of the Code of Virginia) who become members of the Virginia Law Officers' Retirement System (§ 51.1-211 et seq. of the Code of Virginia) by virtue of this act shall be transferred from the assets of the Virginia Retirement System to the Virginia Law Officers' Retirement System.

3. That any conservation officer of the Department of Conservation and Recreation appointed pursuant to § 10.1-115 of the Code of Virginia who is in service on June 30, 2008, and July 1, 2008, as such conservation officer, shall not be subject to the condition under the Virginia Law Officers' Retirement System (§ 51.1-211 et seq. of the Code of Virginia) that the person have five or more years of creditable service (i) as a member in the Virginia Law Officers' Retirement System, (ii) as a member in the State Police Officers' Retirement System (§ 51.1-200 et seq. of the Code of Virginia), or (iii) while earning the benefits permitted by § 51.1-138 of the Code of Virginia in order to be eligible to retire under the Virginia Law Officers' Retirement System. However, such conservation officer must have at least five years of creditable service, as such term is defined in § 51.1-124.3 of the Code of Virginia, and must meet such other applicable conditions under the Virginia Law Officers' Retirement System in order to be eligible to retire under such retirement system.

4. That any conservation officer of the Department of Conservation and Recreation appointed pursuant to § 10.1-115 of the Code of Virginia who becomes a member of the Virginia Law Officers' Retirement System (§ 51.1-211 et seq. of the Code of Virginia) pursuant to the provisions of this act shall be eligible only for those retirement benefits under such system that are provided to employees who commence employment or reemployment on or after July 1, 2001.

5. That the provisions of this act shall not increase, decrease, or affect in any way the retirement allowance or retirement benefit of any person who retired prior to July 1, 2008, under any retirement system administered by the Virginia Retirement System (§ 51.1-124.1 et seq. of the Code of Virginia).