

# VIRGINIA ACTS OF ASSEMBLY -- 2020 SESSION

## CHAPTER 896

*An Act to amend and reenact § 6, as amended, of Chapter 303 of the Acts of Assembly of 1944, relating to Fairfax County; policemen's retirement system.*

[S 652]

Approved April 8, 2020

**Be it enacted by the General Assembly of Virginia:**

**1. That § 6, as amended, of Chapter 303 of the Acts of Assembly of 1944 is amended and reenacted as follows:**

§ 6. A police officer shall become a member of the policemen's retirement system upon the first day he becomes a ~~full~~ *full-time* or part-time employee, provided *that* the Board first determines that it desires to receive a part-time employee into the system. A member shall receive service credit for military leave, provided *that* he returns to full-time employment within 90 days of discharge and such discharge is other than dishonorable. A member shall receive service credit while on ~~service connected~~ *service-connected* total or partial disability as defined in § 8. A member shall not receive service credit while on ~~nonservice connected~~ *nonservice-connected* total or partial disability, as defined in § 8. A member shall receive service credit for prior employment as a police officer with the county, provided *that* he shall return his contributions previously paid plus interest at the yearly rates earned by the system during the period the member's contributions had been withdrawn. The Board may, in its discretion, accept a return of a member's contribution on an installment basis on terms and conditions set by the Board. Each member may be allowed credit for accrued sick leave upon making application for retirement under this section or § 6(b) at the rate of one month for each ~~one hundred seventy-two~~ 172 hours of accrued sick leave. In determining benefits, the Board shall grant same in the same manner as if the member had been employed during that period of time.

*Under such rules and regulations as are adopted by the governing body of the county, any person who has been a member of another county retirement system of such county and who withdraws therefrom and becomes a member of the policemen's retirement system may purchase membership service credit for service rendered while a member of such other county retirement system by paying into the policemen's retirement system all contributions that would have been due from the person had the person been a member of the policemen's retirement system for each of the years for which membership service credit is sought.*

A member who has attained the compulsory retirement age of ~~sixty~~ 60 and has ~~twenty-five~~ 25 years of service credit shall be retired forthwith by the Board; provided, however, that upon approval of the Board, members employed prior to the effective date of this article who have not attained ~~twenty-five~~ 25 years of service credit may continue in service until they attain ~~twenty-five~~ 25 years of service credit. Any member who has ~~twenty-five~~ 25 years of service credit prior to attaining the compulsory retirement age of ~~sixty~~ 60 years may ~~return~~ retire then or thereafter until his sixtieth birthdate upon written notification to the Board, setting forth at what time the retirement is to become effective; provided, that such effective date shall be after his last day of service, but ~~shall~~ not be more than ~~ninety~~ 90 days subsequent to giving such notice. Any member eligible for retirement under this paragraph with ~~twenty-five~~ 25 years of service credit shall receive ~~sixty per centum~~ 60 percent of his average annual salary. The average annual salary is to be determined by taking the sum of the salary received during the last three years of active service and dividing said sum by three. In the event *that* a member has more than ~~twenty-five~~ 25 years of service credit, he shall receive an additional two ~~per centum~~ percent per year of his average annual salary for each year of service in excess of ~~twenty-five~~ 25 years, but in no event shall his total compensation exceed ~~sixty-six~~ 66 and two-thirds ~~per centum~~ percent of his average annual salary.