

1 S.170

2 Introduced by Senator Westman

3 Referred to Committee on

4 Date:

5 Subject: Municipal and county government; Municipal Employees' Retirement
6 System; sheriffs

7 Statement of purpose of bill as introduced: This bill proposes to transfer the
8 membership of certified law enforcement officers and support staff employed
9 at county sheriff departments from the Vermont State Employees' Retirement
10 System to the Municipal Employees' Retirement System.

11 An act relating to membership in the Municipal Employees' Retirement
12 System for certain county sheriff department employees

13 It is hereby enacted by the General Assembly of the State of Vermont:

14 Sec. 1. 3 V.S.A. § 495 is amended to read:

15 § 495. TRANSFER OF MEMBERSHIPS

16 (a) The words "retirement system" as used in this section shall mean and
17 include the following:

18 (1) Vermont State Retirement System as established by subchapter 1 of
19 this chapter, and including employees of certain political subdivisions under
20 the provisions of subchapter 2 of this chapter;

1 (2) State Teachers' Retirement System of Vermont as established by
2 16 V.S.A. chapter 55; and

3 (3) Municipal Employees' Retirement System as established by
4 24 V.S.A. chapter 125.

5 (b)(1) Any person who is a member of a Retirement System as defined in
6 subsection (a) of this section may transfer his or her membership to another
7 Retirement System, as defined in subsection (a) of this section, within one year
8 after acceptance of office or employment ~~which~~ that makes it possible or
9 mandatory for him or her to participate in such other Retirement System if
10 such acceptance of office or employment would make it impossible for him or
11 her to continue as a contributing member of the Retirement System of which
12 he or she has been a member.

13 (2) Any person who is a member of the Vermont State Retirement
14 System as established by subchapter 1 of this chapter and is employed as a
15 certified law enforcement officer or support staff at a county sheriff
16 department, may transfer the employee's membership to the Municipal
17 Employees' Retirement System, as established by 24 V.S.A. chapter 125,
18 provided that the transfer is completed after July 1, 2023 but before July 1,
19 2024.

20 * * *

1 Sec. 2. 24 V.S.A. § 5051 is amended to read:

2 § 5051. DEFINITIONS

3 As used in this chapter:

4 * * *

5 (10) “Employee” means the following persons employed on a regular
6 basis by a school district or by a supervisory union for ~~no~~ not fewer than
7 1,040 hours in a year and for ~~no~~ not fewer than 30 hours a week for the school
8 year, as defined in 16 V.S.A. § 1071, or for ~~no~~ not fewer than 1,040 hours in a
9 year and for ~~no~~ not fewer than 24 hours a week year-round; provided, however,
10 that if a person who was employed on a regular basis by a school district as
11 either a special education or transportation employee and who was transferred
12 to and is working in a supervisory union in the same capacity pursuant to
13 16 V.S.A. § 261a(a)(6) or (8)(E) and if that person is also employed on a
14 regular basis by a school district within the supervisory union, then the person
15 is an “employee” if these criteria are met by the combined hours worked for
16 the supervisory union and school district. The term shall also mean a person
17 employed on a regular basis as a certified law enforcement employee or
18 support staff of a county sheriff department. The term shall also mean persons
19 employed on a regular basis by a municipality other than a school district for
20 ~~no~~ not fewer than 1,040 hours in a year and for ~~no~~ not fewer than 24 hours per

1 week, including persons employed in a library at least one-half of whose
2 operating expenses are met by municipal funding:

3 * * *

4 (D) “Group D member” means a person employed by a participating
5 municipality or a county sheriff department who elects to become a Group D
6 member under section 5068 of this title.

7 (E) The Retirement Board shall determine any question as to whether
8 a person is an employee as defined in this chapter.

9 (11) “Employer” means a municipality, a library at least one-half of
10 whose operating expenses are paid from municipal funds, ~~or~~ a supervisory
11 union, or a county sheriff department.

12 * * *

13 Sec. 3. 24 V.S.A. § 5053 is amended to read:

14 § 5053. MEMBERS

15 * * *

16 (e) A county sheriff department may elect to enroll a certified law
17 enforcement officer or support staff member who is employed on a regular
18 basis following a written request by the department to the Board, provided that
19 all contributions on behalf of such employee shall be made by the department
20 and the employee to the Vermont Municipal Employees’ Retirement System
21 for deposit in the Fund.

1 Sec. 4. MEMBERSHIP TRANSFER OF CERTAIN SHERIFF
2 DEPARTMENT EMPLOYEES; COSTS; MUNICIPAL
3 EMPLOYEES' RETIREMENT SYSTEM; STATE TREASURER;
4 REPORT

5 (a) The State Treasurer shall contract with an independent third party to
6 study and determine the costs associated with transferring the membership of:

7 (1) certified law enforcement officials employed by county sheriff
8 departments from Group F in the Vermont State Employees' Retirement
9 System to a Group D membership in the Vermont Municipal Employees'
10 Retirement System; and

11 (2) support staff employed by county sheriff departments from Group F
12 in the Vermont State Employees' Retirement System to Group A, B, or C in
13 the Vermont Municipal Employees' Retirement System.

14 (b) On or before October 1, 2022, the State Treasurer shall submit a report
15 to the House Committees on Appropriations and on Government Operations
16 and the Senate Committees on Appropriations and on Government Operations
17 that includes the results of the study described in subsection (a) of this section.

18 Sec. 5. EFFECTIVE DATE

19 This act shall take effect on July 1, 2022.