

1 S.234

2 Introduced by Senator Westman

3 Referred to Committee on

4 Date:

5 Subject: Executive; Vermont State Employees' Retirement System; county  
6 sheriff pension plan

7 Statement of purpose of bill as introduced: This bill proposes to offer sheriffs  
8 and qualified deputy sheriffs an opportunity to join Group G of the Vermont  
9 State Employees' Retirement System.

10 An act relating to amending the pension system for sheriffs and certain  
11 deputy sheriffs

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

13 Sec. 1. 3 V.S.A. § 455 is amended to read:

14 § 455. DEFINITIONS

15 (a) As used in this subchapter:

16 \* \* \*

17 (11) "Member" means any employee included in the membership of the  
18 Retirement System under section 457 of this title.

19 \* \* \*

20 (F) "Group G member" means:

1           (i) the following employees who are first employed in the  
2 positions listed in this subdivision (F) on or after July 1, 2023, or who are  
3 members of the System as of June 30, 2022 and make an irrevocable election  
4 to prospectively join Group G on or before June 30, 2023, pursuant to the  
5 terms set by the Board: facility employees of the Department of Corrections,  
6 as Department of Corrections employees who provide direct security and  
7 treatment services to offenders under supervision in the community, as  
8 employees of a facility for justice-involved youth, ~~or as~~ and employees of the  
9 Vermont State Psychiatric Care Hospital employees or ~~as employees of its~~  
10 successor in interest, who provide direct patient care; and

11           (ii) the following employees who are first employed in the  
12 positions listed in this subdivision (F) on or after January 1, 2025, or who are  
13 members of the System as of December 31, 2024 and make an irrevocable  
14 election to join Group G on or before December 31, 2024, pursuant to the  
15 terms set by the Board:

16                   (I) all sheriffs; and

17                   (II) deputy sheriffs who:

18                               (aa) are employed by county sheriff's departments  
19 that participate in the Vermont Employees' Retirement System;



1 (II) completion of 30 years of creditable service; or

2 (III) 55 years of age and following completion of 20 years of  
3 creditable service; ~~or~~

4 (ii) for facility employees of the Department of Corrections,  
5 Department of Corrections employees who provide direct security and  
6 treatment services to offenders under supervision in the community, as  
7 employees of a facility for justice-involved youth, or employees of the  
8 Vermont ~~State~~ Psychiatric Care Hospital or its predecessor or successor in  
9 interest, who provide direct patient care, who were first included in the  
10 membership of the System on or after July 1, 2008, who were employed as of  
11 June 30, 2022, and who made an irrevocable election to prospectively join  
12 Group G on or before July 1, 2023, pursuant to the terms set by the Board, the  
13 first day of the calendar month next following the earlier of:

14 (I) 65 years of age and following completion of five years of  
15 creditable service;

16 (II) attainment of 87 points reflecting a combination of the age  
17 of the member and number of years of service; or

18 (III) 55 years of age and following completion of 20 years of  
19 creditable service; ~~or~~

20 (iii) for facility employees of the Department of Corrections,  
21 Department of Corrections employees who provide direct security and

1 treatment services to offenders under supervision in the community, employees  
2 of a facility for justice-involved youth, or employees of the Vermont State  
3 Psychiatric Care Hospital or its predecessor or successor in interest, who  
4 provide direct patient care, who first become a Group G member on or after  
5 July 1, 2023, the first day of the calendar month next following the earlier of:

6 (I) attainment of 55 years of age and following completion of  
7 20 years of creditable service; or

8 (II) 65 years of age and following completion of five years of  
9 creditable service;

10 (iv) for all sheriffs and those deputy sheriffs who meet the  
11 requirements pursuant to subdivision (11)(F)(ii) of this subsection (a), who  
12 were first included in the membership of the System on or before June 30,  
13 2008, who were employed as of December 31, 2024, and who made an  
14 irrevocable election to prospectively join Group G on or before January 1,  
15 2025, pursuant to the terms set by the Board, the first day of the calendar  
16 month next following the earlier of:

17 (I) 62 years of age and following completion of five years of  
18 creditable service;

19 (II) completion of 30 years of creditable service; or

20 (III) 55 years of age and following completion of 20 years of  
21 creditable service;

1           (v) for all sheriffs and those deputy sheriffs who meet the  
2           requirements pursuant to subdivision (11)(F)(ii) of this subsection (a), who  
3           were first included in the membership of the System on or after July 1, 2008,  
4           who were employed as of December 31, 2024, and who made an irrevocable  
5           election to prospectively join Group G on or before January 1, 2025, pursuant  
6           to the terms set by the Board, the first day of the calendar month next  
7           following the earlier of:

8                   (I) 65 years of age and following completion of five years of  
9                   creditable service;

10                   (II) attainment of 87 points reflecting a combination of the age  
11                   of the member and number of years of service; or

12                   (III) 55 years of age and following completion of 20 years of  
13                   creditable service; or

14           (vi) for all sheriffs and those deputy sheriffs who meet the  
15           requirements pursuant to subdivision (11)(F)(ii) of this subsection (a), who  
16           first become a Group G member after January 1, 2025, the first day of the  
17           calendar month next following the earlier of:

18                   (I) attainment of 55 years of age and following completion of  
19                   20 years of creditable service; or

20                   (II) 65 years of age and following completion of five years of  
21                   creditable service.

1 \* \* \*

2 Sec. 2. 3 V.S.A. § 459 is amended to read:

3 § 459. NORMAL AND EARLY RETIREMENT

4 \* \* \*

5 (b) Normal retirement allowance.

6 \* \* \*

7 (6)(A) Upon normal retirement pursuant to subdivisions  
8 455(a)(13)(E)(i) ~~and~~, (iii), (iv), and (vi) of this chapter, a Group G member  
9 shall receive a normal retirement allowance equal to two and one-half of a  
10 percent of the member's average final compensation times years of  
11 membership service in Group G. The maximum retirement allowance shall be  
12 50 percent of average final compensation.

13 (B) Upon normal retirement pursuant to ~~subdivision~~ subdivisions  
14 455(a)(13)(E)(ii) and (v) of this chapter, a Group G member shall receive a  
15 normal retirement allowance equal to two and one-half of a percent of the  
16 member's average final compensation times years of membership service in  
17 Group G. The maximum retirement allowance shall be 60 percent of average  
18 final compensation.

19 \* \* \*

20 (d) Early retirement allowance.

21 \* \* \*





1 Sec. 3. 3 V.S.A. § 489 is amended to read:

2 § 489. BENEFITS

3 Persons who become members of the Vermont State Retirement System  
4 under this subchapter and on behalf of whom contributions are paid as  
5 provided in this subchapter shall be entitled to benefits under the Vermont  
6 State Retirement System as though they were employees of the State of  
7 Vermont. These employees shall be considered “Group F members” as  
8 defined in subdivision 455(a)(11)(E) of this title, except that:

9 (1) elected municipal employees shall not be subject to mandatory  
10 retirement requirements; and

11 (2) sheriffs and those deputy sheriffs who meet the requirements  
12 pursuant to subdivision 455(a)(11)(F)(ii)(II) of this chapter shall be considered  
13 members of Group G.

14 Sec. 4. ONE-TIME IRREVOCABLE ELECTION FOR SHERIFFS AND  
15 CERTAIN DEPUTY SHERIFFS

16 (a) On or before September 1, 2024, the Department of Human Resources,  
17 in consultation with the Office of the State Treasurer, shall establish a list of  
18 positions newly eligible for Group G of the Vermont State Employees’  
19 Retirement System, which shall be limited to the following:

20 (1) all sheriffs; and

21 (2) deputy sheriffs who:

1                   (A) are employed by county sheriff's departments that  
2                   participate in the Vermont Employees' Retirement System;

3                   (B) have attained Level II or Level III law enforcement  
4                   officer certification from the Vermont Criminal Justice Council; and

5                   (C) are required to perform law enforcement duties as the  
6                   primary function of their employment.

7           (b) In establishing any new deputy sheriff position on and after January 1,  
8           2025, the Department of State's Attorneys and Sheriffs, in consultation with  
9           sheriff's departments, shall identify that position as eligible for either Group C  
10           membership or Group G membership pursuant to the criteria as set forth in  
11           subsection (a) of this section.

12           (c)(1) A sheriff or deputy sheriff who qualifies for Group G membership  
13           shall have a one-time option to transfer to Group G on or before December 1,  
14           2024. For a sheriff or deputy sheriff who qualifies for Group G membership  
15           who is first employed on or after December 1, 2024, election to join Group G  
16           under this subsection shall be made as soon as possible but shall be within 30  
17           days from the employee's date of hire.

18           (2) Election to join the Group G plan under this subsection shall be  
19           irrevocable.

20           (d) The effective date of participation in a new group plan for those  
21           employees covered under this section and who elect to transfer to Group G

1 shall be January 1, 2025. All past service accrued through the date of transfer  
2 shall be calculated based upon the plan in which it was accrued, with all  
3 provisions and penalties, if applicable, applied.

4 (e) Nothing in this section shall be read to extend postretirement health or  
5 other insurance benefits to Group G members who work for county sheriff's  
6 departments.

7 Sec. 5. EFFECTIVE DATE

8 This act shall take effect on July 1, 2024.