

1 TO THE HOUSE OF REPRESENTATIVES:

2 The Committee on Government Operations and Military Affairs to which  
3 was referred House Bill No. 585 entitled “An act relating to amending the  
4 pension system for sheriffs and certain deputy sheriffs “ respectfully reports  
5 that it has considered the same and recommends that the bill be amended by  
6 striking out all after the enacting clause and inserting in lieu thereof the  
7 following:

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

9 § 455. DEFINITIONS

10 (a) As used in this subchapter:

11 \* \* \*

12 (11) “Member” means any employee included in the membership of the  
13 Retirement System under section 457 of this title.

14 \* \* \*

15 (F) “Group G member” means:

16 (i) the following employees who are first employed in the  
17 positions listed in this subdivision (F)(i) on or after July 1, 2023, or who are  
18 members of the System as of June 30, 2022 and make an irrevocable election  
19 to prospectively join Group G on or before June 30, 2023, pursuant to the  
20 terms set by the Board: facility employees of the Department of Corrections,  
21 as Department of Corrections employees who provide direct security and

1 treatment services to offenders under supervision in the community, as  
2 employees of a facility for justice-involved youth, ~~or as~~ and employees of the  
3 Vermont State Psychiatric Care Hospital employees or ~~as employees of its~~  
4 successor in interest, who provide direct patient care; and

5 (ii) the following employees who are first employed in the  
6 positions listed in this subdivision (F)(ii) or first included in the membership of  
7 the System on or after January 1, 2025, or who are members of the System as  
8 of December 31, 2024 and make an irrevocable election to join Group G on or  
9 before December 31, 2024, pursuant to the terms set by the Board:

10 (I) all sheriffs; and

11 (II) deputy sheriffs who:

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

14 (bb) have attained Level II or Level III law  
15 enforcement officer certification from the Vermont Criminal Justice  
16 Council;

17 (cc) are required to perform law enforcement duties  
18 as the primary function of their employment; and

19 (dd) are not full-time deputy sheriffs compensated  
20 by the State of Vermont whose primary function is transports as

1 defined in 24 V.S.A. § 290(b) and eligible for Group C pursuant to 3  
2 V.S.A. § 455(9)(B).

3 \* \* \*

4 (13) “Normal retirement date” means:

5 \* \* \*

6 (E) with respect to a Group G member:

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

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

11                   (I) 65 years of age and following completion of five years of  
12 creditable service;

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

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

17                   (iii) for facility employees of the Department of Corrections,  
18 Department of Corrections employees who provide direct security and  
19 treatment services to offenders under supervision in the community, employees  
20 of a facility for justice-involved youth, or employees of the Vermont ~~State~~  
21 Psychiatric Care Hospital or its predecessor or successor in interest, who

1 provide direct patient care, who first become a Group G member on or after  
2 July 1, 2023, the first day of the calendar month next following the earlier of:

3 (I) attainment of 55 years of age and following completion of  
4 20 years of creditable service; or

5 (II) 65 years of age and following completion of five years of  
6 creditable service;

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

14 (I) 62 years of age and following completion of five years of  
15 creditable service;

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

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

19 (v) for all sheriffs and those deputy sheriffs who meet the  
20 requirements pursuant to subdivision (11)(F)(ii) of this subsection (a), who  
21 were first included in the membership of the System on or after July 1, 2008,

1 who were employed as of December 31, 2024, and who made an irrevocable  
2 election to prospectively join Group G on or before January 1, 2025, pursuant  
3 to the terms set by the Board, the first day of the calendar month next  
4 following the earlier of:

5 (I) 65 years of age and following completion of five years of  
6 creditable service;

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

9 (III) 55 years of age and following completion of 20 years of  
10 creditable service; or

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

15 (I) attainment of 55 years of age and following completion of  
16 20 years of creditable service; or

17 (II) 65 years of age and following completion of five years of  
18 creditable service.

19 \* \* \*

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

21 § 459. NORMAL AND EARLY RETIREMENT

1 \* \* \*

2 (b) Normal retirement allowance.

3 \* \* \*

4 (6)(A) Upon normal retirement pursuant to subdivisions  
5 455(a)(13)(E)(i) ~~and~~, (iii), (iv), and (vi) of this chapter, a Group G member  
6 shall receive a normal retirement allowance equal to two and one-half of a  
7 percent of the member’s average final compensation times years of  
8 membership service in Group G. The maximum retirement allowance shall be  
9 50 percent of average final compensation.

10 (B) Upon normal retirement pursuant to ~~subdivision~~ subdivisions  
11 455(a)(13)(E)(ii) and (v) of this chapter, a Group G member shall receive a  
12 normal retirement allowance equal to two and one-half of a percent of the  
13 member’s average final compensation times years of membership service in  
14 Group G. The maximum retirement allowance shall be 60 percent of average  
15 final compensation.

16 \* \* \*

17 (d) Early retirement allowance.

18 \* \* \*

19 (4)(A) Upon early retirement, a Group G member who was previously a  
20 Group F member first included in the membership of the System on or before  
21 June 30, 2008, and who elected to transfer into Group G ~~on July 1, 2023~~

1 pursuant to the terms set by the Board, shall receive an early retirement  
2 allowance that shall be equal to the normal retirement allowance reduced by  
3 the lesser of (i) one-half of one percent for each month equal to the difference  
4 between the 240 months and the member's months of creditable service, or (ii)  
5 an amount that shall be the actuarial equivalent of the normal retirement  
6 allowance computed under subsection (b) of this section.

7 (B) Upon early retirement, a Group G member who was previously a  
8 Group F member first included in the membership of the System on or after  
9 July 1, 2008, and who elected to transfer into Group G ~~on July 1, 2023~~  
10 pursuant to the terms set by the Board, shall receive an early retirement  
11 allowance that shall be equal to the normal retirement allowance reduced by  
12 the lesser of (i) five-ninths of one percent for each month equal to the  
13 difference between the 240 months and the member's months of creditable  
14 service, or (ii) an amount that shall be the actuarial equivalent of the normal  
15 retirement allowance computed under subsection (b) of this section.

16 \* \* \*

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

18 § 489. BENEFITS

19 Persons who become members of the Vermont State Retirement System  
20 under this subchapter and on behalf of whom contributions are paid as  
21 provided in this subchapter shall be entitled to benefits under the Vermont



1 State Retirement System as though they were employees of the State of  
2 Vermont. These employees shall be considered “Group F members” as  
3 defined in subdivision 455(a)(11)(E) of this title, except that:

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

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

9 Sec. 4. ONE-TIME IRREVOCABLE ELECTION FOR SHERIFFS AND

10 CERTAIN DEPUTY SHERIFFS

11 (a) On or before September 1, 2024, the Department of State’s Attorneys  
12 and Sheriffs, in consultation with the Department of Human Resources and the  
13 Office of the State Treasurer, shall establish a list of positions newly eligible  
14 for Group G of the Vermont State Employees’ Retirement System, which shall  
15 be limited to the following:

16 (1) all sheriffs; and

17 (2) deputy sheriffs who:

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

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

1                   (C) are required to perform law enforcement duties as the  
2                   primary function of their employment; and

3                   (D) are not full-time deputy sheriffs compensated by the State  
4                   of Vermont whose primary function is transports as defined in 24  
5                   V.S.A. § 290(b) and eligible for Group C pursuant to 3 V.S.A.  
6                   § 455(9)(B).

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) The Department of State’s Attorneys and Sheriffs shall notify the Office  
5 of the State Treasurer of changes in a deputy sheriff’s eligibility for Group G  
6 within 30 days of the change in eligibility, pursuant to 3 V.S.A.  
7 § 455(11)(F)(ii)(II).

8 (f) Nothing in this section shall be read to extend postretirement health or  
9 other insurance benefits to Group G deputy sheriffs who work for county  
10 sheriff’s departments.

11 Sec. 5. 32 V.S.A. § 1182(c) is added to read:

12 (c) Compensation under subsection (a) of this section shall be reduced by  
13 30% for any sheriff whose law enforcement officer certification is permanently  
14 revoked pursuant to 20 V.S.A. § 2406.

15 Sec. 6. EFFECTIVE DATE

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

17  
18 (Committee vote: \_\_\_\_\_)

19 \_\_\_\_\_  
20 Representative \_\_\_\_\_  
21 FOR THE COMMITTEE