

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 (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