

HOUSE BILL NO. 1789

AMENDMENT IN THE NATURE OF A SUBSTITUTE

(Proposed by the House Committee on Appropriations

on February 1, 2023)

(Patron Prior to Substitute--Delegate Filler-Corn)

A BILL to amend and reenact § 51.1-1403 of the Code of Virginia, relating to health insurance credits for certain local officials and employees.

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

**1. That § 51.1-1403 of the Code of Virginia is amended and reenacted as follows:**

**§ 51.1-1403. Health insurance credits for retired constitutional officers, employees of constitutional officers, general registrars, employees of general registrars, and local social service employees.**

A. A local officer, as defined in § 51.1-124.3, general registrar, employee of a general registrar, or an employee of a local social services board, retired under the Virginia Retirement System, including the hybrid retirement program described in § 51.1-169, who rendered at least 15 years of total creditable service under the System shall receive a health insurance credit to his monthly retirement allowance, which shall be applied to reduce the retired member's health insurance premium cost. The amount of each monthly health insurance credit payable under this section shall be (i) \$1.50 for each full year of the retired member's creditable service, not to exceed a maximum monthly credit of \$45, or (ii) beginning July 1, 2024, for a local officer who rendered at least 30 years of total creditable service under the Retirement System, the amount provided by clause (i) plus an annual increase by the same percentage as any annual post-retirement supplement for retirees, as calculated for employees hired on or after July 1, 2010, pursuant to § 51.1-166; however, each former member whose retirement was for disability, a participant receiving long-term disability pursuant to § 51.1-1157 or 51.1-1165, or a member of the hybrid retirement program receiving long-term disability pursuant to coverage under subsection A of § 51.1-1153 shall receive a monthly health insurance credit in the amount of (a) for an individual described in this section

27 other than a local officer, \$45 or (b) beginning July 1, 2024, for a local officer who rendered at least 30  
28 years of total creditable service under the Retirement System, the amount provided by clause (a) plus an  
29 annual increase by the same percentage as any annual post-retirement supplement for retirees, as  
30 calculated for employees hired on or after July 1, 2010, pursuant to § 51.1-166. Eligibility for the credit  
31 shall be determined in a manner prescribed by the Virginia Retirement System. Any member who elects  
32 to defer his retirement pursuant to subsection C of § 51.1-153 shall be entitled to receive the allowable  
33 credit provided by this section on the effective date of his retirement. The cost of such credit shall be borne  
34 by the Commonwealth.

35 B. In addition to the health insurance credit authorized in subsection A, localities~~which~~ that  
36 participate in the Virginia Retirement System may elect to provide an additional health insurance credit  
37 of \$1 per month for each full year of the retired member's creditable service, not to exceed a maximum  
38 monthly credit of \$30. The costs of such additional health insurance credit shall be borne by the locality.

39 C. 1. Those retired employees who purchase an alternative personal health insurance policy from  
40 a carrier or organization of their own choosing shall be eligible to receive a credit in the amount specified  
41 in subdivision C 2. Eligibility for the credit and payment of the credit shall be determined in a manner  
42 prescribed by the Virginia Retirement System.

43 2. The credit shall be in (i) the amount provided in subsection A, or subsection A and subsection  
44 B if the additional credit authorized by subsection B is provided or (ii) the amount of premium paid for  
45 the personal health insurance policy, whichever is less.

46 D. Any person included in the membership of a retirement system provided by Chapter 1 (§ 51.1-  
47 124.1 et seq.), 2 (§ 51.1-200 et seq.), 2.1 (§ 51.1-211 et seq.), or 3 (§ 51.1-300 et seq.) who (i) rendered at  
48 least 15 years of total creditable service as a local officer as defined in § 51.1-124.3 or as an employee of  
49 a local social services board or combined service as a general registrar or an employee of a general registrar  
50 and (ii) after terminating service as a local officer or employee of a local social services board or general  
51 registrar or as an employee of a general registrar, was employed by a local government that does not elect  
52 to provide a health insurance credit under § 51.1-1402, shall be eligible for the credit provided by  
53 subsection A, provided that the retired employee is participating in a health insurance plan. The

**54** Commonwealth shall be charged with the credit as provided for in subsection A. In such case, the health  
**55** insurance credit shall be determined based upon the amount of state service or service as a local officer or  
**56** service as an employee of a local social services board or combined service as a general registrar or an  
**57** employee of a general registrar, whichever is greater.

**58** E. The Virginia Retirement System shall (i) actuarially determine the amount necessary to fund all  
**59** credits provided under this section, (ii) reflect the cost of such credits in the applicable employer  
**60** contribution rate pursuant to § 51.1-145, and (iii) prescribe such terms and conditions as are necessary to  
**61** carry out the provisions of this section. The costs associated with the administration of the health insurance  
**62** program provided for in this section shall be recovered from the health insurance credit trust fund.

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