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SENATE BILL NO. 396

AMENDMENT IN THE NATURE OF A SUBSTITUTE

(Proposed by the Senate Committee on Finance and Appropriations
on February 6, 2024)

(Patron Prior to Substitute—Senator McDougle)

*A BILL to amend and reenact § 51.1-306.1 of the Code of Virginia, relating to Virginia Retirement System;
judges.*

Be it enacted by the General Assembly of Virginia:

1. That § 51.1-306.1 of the Code of Virginia is amended and reenacted as follows:

§ 51.1-306.1. Service retirement allowance for certain judges.

A. Notwithstanding any contrary provision of this chapter, and except as provided in subsection B, the service retirement allowance for judges appointed or elected to an original term commencing on or after January 1, 2014, shall be determined under the provisions of the hybrid retirement program described in § 51.1-169.

B. Notwithstanding any contrary provision of this title, the provisions of this title applicable to a judge appointed or elected to an original term prior to January 1, 2013, who was vested on or before January 1, 2013, shall apply mutatis mutandis to a judge appointed or elected to an original term commencing on or after July 1, 2024, who was at least 55 years old at the time he was appointed or elected to such original term, provided, however, that such judge's service as a judge shall be multiplied by the weighted years of service factor of 3.5.

**SENATE
SUBSTITUTE**

SB396S1