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SENATE BILL NO. 695

Offered January 14, 2026

Prefiled January 14, 2026

A BILL to amend and reenact §§ 9.1-110, 22.1-280.2:3, 51.1-138, and 51.1-155 of the Code of Virginia, relating to school boards; Virginia Retirement System; school resource officers.

Patron—Jordan

Referred to Committee on Education and Health

Be it enacted by the General Assembly of Virginia:

1. That §§ 9.1-110, 22.1-280.2:3, 51.1-138, and 51.1-155 of the Code of Virginia are amended and reenacted as follows:

§ 9.1-110. School Resource Officer Grants Program and School Resource Officer Incentive Grants Fund.

A. From the funds appropriated for such purpose and from the gifts, donations, grants, bequests, and other funds received on its behalf, there is established (i) the School Resource Officer Grants Program, to be administered by the Board, in consultation with the Board of Education, and (ii) a special nonreverting fund within the state treasury known as the School Resource Officer Incentive Grants Fund, hereinafter known as the "Fund." The Fund shall be established on the books of the Comptroller, and any moneys remaining in the Fund at the end of the biennium shall not revert to the general fund but shall remain in the Fund. Interest earned on such funds shall remain in the Fund and be credited to it.

Subject to the authority of the Board to provide for its disbursement, the Fund shall be disbursed to award matching grants to local law-enforcement agencies and local school boards that have established a collaborative agreement in accordance with as required by § 22.1-280.2:3 to employ uniformed school resource officers, as defined in § 9.1-101, school security officers, as defined in § 9.1-101, and other relevant school safety personnel within the relevant school division or law-enforcement agency as determined by the Department. Grants may be awarded for the expenses related to the equipment necessary for such uniformed school resource officers, school security officers, and other relevant school safety personnel and the enhancement of the school-law enforcement partnership through training and programming as determined by the Department, provided, however, that such grants shall not be used for any expense related to the purchase of firearms, handcuffs or other wrist restraints, or any stun weapon as defined in § 18.2-308.1.

The Board may disburse annually up to five percent of the Fund for the training of the school resource officers. School resource officers shall be certified law-enforcement officers and shall be employed to help ensure safety and prevent truancy and violence in schools.

B. The Board shall establish criteria for making grants from the Fund, including procedures for determining the amount of a grant and the required local match. Any grant of general funds shall be matched by the locality on the basis of the composite index of local ability to pay. The Board may adopt guidelines governing the Program and the employment and duties of the school resource officers as it deems necessary and appropriate.

§ 22.1-280.2:3. School boards; safety and security personnel.

A. ~~The~~ Each school board in each school division in which the local law-enforcement agency employs shall employ a school resource officers officer, as defined in § 9.1-101, and shall enter into a memorandum of understanding with ~~such~~ the local law-enforcement agency that sets forth the powers and duties of ~~such~~ school resource officers. The provisions of such memorandum of understanding shall be based on the model memorandum of understanding developed by the Virginia Center for School and Campus Safety pursuant to subdivision A 12 of § 9.1-184, which may be modified by the parties in accordance with their particular needs. Each such school board and local law-enforcement agency shall review and amend or affirm such memorandum at least once every two years or at any time upon the request of either party. Each school board shall ensure the current division memorandum of understanding is conspicuously published on the division website and provide notice and opportunity for public input during each memorandum of understanding review period.

B. The chief local law-enforcement officer for any local school division in which a public elementary or secondary school does not employ a school resource officer, as defined in § 9.1-101, shall designate a law-enforcement officer to receive, either in-person or online, the training set forth in subsection E of § 22.1-279.8. Such officer shall serve as the law-enforcement liaison for the school administrator described in subsection E of § 22.1-279.8 in each public elementary or secondary school that does not employ a school resource officer.

§ 51.1-138. Benefits.

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59 A. Employees who become members under this article and on whose behalf contributions are paid as
60 provided in this article shall be entitled to benefits under the retirement system.

61 B. By resolution legally adopted and approved by the Board, the employer may elect to provide benefits
62 equivalent to those provided under the State Police Officers' Retirement System, as set out in Chapter 2
63 (§ 51.1-200 et seq.) of this title except for § 51.1-209, and except that the employer may elect to establish the
64 retirement allowance pursuant to the allowance provided in clause (i) or (ii) in subsection A of § 51.1-206, in
65 lieu of the benefits that would otherwise be provided hereunder for any employees who are employed in (i)
66 law-enforcement positions comparably hazardous to that of a state police officer, including any sworn
67 law-enforcement officer who has the duty and obligation to enforce the penal and traffic laws of this
68 Commonwealth as directed by his superior officer, if so certified by his appointing authority, (ii) positions as
69 full-time salaried fire fighters, (iii) positions as full-time salaried emergency medical technicians, or (iv)
70 positions as regional jail superintendents and jail officers of regional jail farms, regional jails or jail
71 authorities, as approved by the respective jail board or authority and by the participating political
72 subdivisions of such entities. Sheriffs of political subdivisions and superintendents of regional jails which
73 participate in the retirement system shall receive benefits equivalent to those of state police officers, except
74 for the benefits provided under § 51.1-209, regardless of whether the employer has elected to provide
75 equivalent benefits as set out in this subsection.

76 C. Each employer providing the benefits of subsection B for its employees prior to July 1, 1990, may elect
77 to provide for the early retirement of employees as set forth in this subsection in lieu of the early retirement
78 and death before retirement provisions of the State Police Officers' Retirement System. Such election must be
79 made to the Board in writing prior to July 1, 1990. Any member in service on or after his fifty-fifth birthday
80 with five or more years of creditable service (i) while earning the benefits permitted by this section, (ii) as a
81 member in the retirement system established by Chapter 2 (§ 51.1-200 et seq.) of this title, or (iii) as a
82 member in the retirement system established by Chapter 2.1 (§ 51.1-211 et seq.) of this title may retire upon
83 written notification to the Board setting forth at what time the retirement is to become effective. The effective
84 date shall be after his last day of service but shall not be more than 90 days prior to the filing of such notice.
85 The member shall receive an allowance that shall be determined in the same manner as for retirement at an
86 employee's normal retirement with creditable service and average final compensation being determined as of
87 the date of his actual retirement. If the member has less than 30 years of service at retirement, the amount of
88 the retirement allowance shall be reduced on an actuarial equivalent basis for the period by which the actual
89 retirement date precedes the earlier of (a) the member's normal retirement date or (b) the first date on or after
90 the member's fifty-fifth birthday on which the member would have completed a total of 30 years of creditable
91 service. Effective December 31, 2003, any employee in service on June 30, 2002, and July 1, 2002, who is
92 credited with five or more years of creditable service rendered under this chapter and earning the benefits
93 permitted by this section, Chapter 2 (§ 51.1-200 et seq.), or Chapter 2.1 (§ 51.1-211 et seq.) of this title shall
94 not be subject to the vesting requirements of this section, and §§ 51.1-205 and 51.1-216.

95 Members retiring under the provisions of this subsection shall be entitled to receive post-retirement
96 supplements as provided in § 51.1-166. In computing the amount of any supplement, any additional
97 allowances being paid under the provisions of subsection B of § 51.1-206 shall be disregarded. In the case of
98 death before retirement, members whose employers elect to provide benefits in accordance with the
99 provisions of this subsection and who have not attained the age of 50 on the date of death shall be assumed to
100 be 50 years of age for the purposes of reducing the benefits on an actuarial equivalent basis.

101 D. Beginning July 1, 2008, each county and city participating in the Virginia Retirement System shall
102 provide the benefit coverage described in subsection B to each deputy sheriff, regardless of whether the
103 deputy sheriff's salary is funded or reimbursed in whole or in part by the Compensation Board.

104 E. Notwithstanding the provisions of subsection C, beginning July 1, 2009, the City of Danville shall
105 provide to each deputy sheriff the benefit coverage described in subsection B.

106 F. Beginning July 1, 2009, each regional jail board and regional jail authority participating in the Virginia
107 Retirement System and each county and city participating in such board or authority shall provide the benefit
108 coverage described in subsection B to each sworn officer of a regional jail, regardless of whether the regional
109 jail officer's salary is funded or reimbursed in whole or in part by the State Compensation Board.

110 G. Beginning July 1, 2010, any county or city that (i) participates in the Virginia Retirement System
111 pursuant to Chapter 1 (§ 51.1-124.1 et seq.), (ii) has in effect a retirement supplement for deputy sheriffs (in
112 addition to the annual retirement allowance provided under the Virginia Retirement System) that exceeds the
113 allowance set forth in subsection B of § 51.1-206 hereof, and (iii) provides the same level of retirement
114 benefits to all of its deputy sheriffs, may, by resolution legally adopted, elect to provide the benefits coverage
115 under subsection B hereof except for the allowance described in subsection B of § 51.1-206. Notwithstanding
116 any other provision of law, the additional costs of such election shall be borne solely by such county or city.

117 H. If an employee (i) is in a position covered by the additional benefits under this section for at least five
118 years, (ii) is separated from the position because of a disability that entitles him to the disability retirement
119 benefits pursuant to § 51.1-156, and (iii) accepts a position with the same employer that is not covered by the
120 benefits under this section but whose salary and benefits are not less than those of the position from which he

121 is separated, then, at the sole discretion of the employer, the employee may continue to be covered under the
122 benefits permitted by this section in his new position.

123 I. The retirement system shall not be liable for the payment of any retirement allowances or other benefits
124 on behalf of a member or beneficiary of a member for which reserves have not been previously created from
125 funds contributed by the employer or the members for such benefits.

126 *J. Beginning July 1, 2026, each locality participating in the Virginia Retirement System shall provide the*
127 *benefit coverage described in subsection B to each school resource officer, as that term is defined in*
128 *§ 9.1-101, who is employed by the locality.*

129 **§ 51.1-155. Service retirement allowance.**

130 A. Retirement allowance. — A member shall receive an annual retirement allowance, payable for life, as
131 follows:

132 1. Normal retirement. — The allowance shall equal 1.70 percent of his average final compensation
133 multiplied by the amount of his creditable service. Notwithstanding the foregoing, for a member who (i) is a
134 person who becomes a member on or after July 1, 2010, or (ii) does not have at least 60 months of creditable
135 service as of January 1, 2013, the allowance shall equal the sum of (a) 1.65 percent of his average final
136 compensation multiplied by the amount of his creditable service performed or purchased on or after January
137 1, 2013, and (b) 1.70 percent of his average final compensation multiplied by the amount of all other
138 creditable service.

139 2. Early retirement; applicable to teachers, state employees, and certain others. — The allowance shall be
140 determined in the same manner as for normal retirement with creditable service and average final
141 compensation being determined as of the date of actual retirement. If the member has less than 30 years of
142 service at retirement, the amount of the retirement allowance shall be reduced on an actuarial equivalent basis
143 for the period by which the actual retirement date precedes the earlier of (i) his normal retirement date or (ii)
144 the first date on which he would have completed a total of 30 years of creditable service. The provisions of
145 this subdivision shall apply to teachers and state employees. These provisions shall also apply to employees
146 of any political subdivision that participates in the retirement system if the political subdivision makes the
147 election provided in subdivision 3.

148 3. Early retirement; applicable to employees of certain political subdivisions, any person who becomes a
149 member on or after July 1, 2010, and any member who does not have at least 60 months of creditable service
150 as of January 1, 2013. — The allowance shall be determined in the same manner as for normal retirement
151 with creditable service and average final compensation being determined as of the date of actual retirement. If
152 the creditable service of the member equals 30 or more years but the sum of his age at retirement plus his
153 creditable service at retirement is less than 90, the amount of the retirement allowance shall be reduced on an
154 actuarial equivalent basis for the period by which the actual retirement date precedes the earlier of (i) his
155 normal retirement date or (ii) the first date on which the sum of his then attained age plus his then creditable
156 service would have been equal to 90 or more had he remained in service until such date. If the member has
157 less than 30 years of creditable service, the retirement allowance shall be reduced for the period by which the
158 actual retirement date precedes the earlier of (i) his normal retirement date or (ii) the first date on which he
159 would have completed a total of at least 30 years of creditable service and his then creditable service plus his
160 then attained age would have been equal to 90 or more.

161 The provisions of this subdivision shall apply to the employees of any political subdivision that
162 participates in the retirement system and any other employees as provided by law. The participating political
163 subdivision may, however, elect to provide its employees with the early retirement allowance set forth in
164 subdivision 2. No such election shall be made for a person who becomes a member on or after July 1, 2010,
165 or a member who does not have at least 60 months of creditable service as of January 1, 2013. Any election
166 pursuant to this subdivision shall be set forth in a legally adopted resolution.

167 Notwithstanding the foregoing, a political subdivision by legally adopted resolution may declare to the
168 Board that, for purposes of this subdivision, subdivisions B 1 and B 3 and subsection D of § 51.1-153, any
169 person who meets the definition of "emergency medical services personnel" in § 32.1-111.1 or is employed as
170 a firefighter or law-enforcement officer as those terms are defined in § 15.2-1512.2 (i) shall not be considered
171 a person who becomes a member on or after July 1, 2010, and (ii) shall be deemed to have at least 60 months
172 of creditable service as of January 1, 2013. Such resolution shall be irrevocable.

173 4. Additional allowance. — In addition to the allowance payable under subdivisions 1, 2, and 3, a member
174 shall receive an additional allowance which shall be the actuarial equivalent, for his attained age at the time
175 of retirement, of the excess of his accumulated contributions transferred from the abolished system to the
176 retirement system, including interest credited at the rate of two percent compounded annually since the
177 transfer to the date of retirement, over the annual amounts equal to four percent of his annual creditable
178 compensation at the date of abolishment for a period equal to his period of membership in the abolished
179 system.

180 5. 50/10 retirement. — The allowance shall be payable in a monthly stream of payments equal to the
181 greater of (i) the actuarial equivalent of the benefit the member would have received had he terminated
182 service and deferred retirement to age 55 or (ii) the actuarially calculated present value of the member's

183 accumulated contributions, including accrued interest.

184 B. Beneficiary serving in position covered by this title.

185 1. Except as provided in subdivisions 2, 3, and 4, if a beneficiary of a service retirement allowance under
186 this chapter or the provisions of Chapters 2 (§ 51.1-200 et seq.), 2.1 (§ 51.1-211 et seq.), or 3 (§ 51.1-300 et
187 seq.) is at any time in service as an employee in a position covered for retirement purposes under the
188 provisions of this or any chapter other than Chapter 6 (§ 51.1-600 et seq.), 6.1 (§ 51.1-607 et seq.), or 7
189 (§ 51.1-700 et seq.), his retirement allowance shall cease while so employed. Any member who retires and
190 later returns to covered employment shall not be entitled to select a different retirement option for a
191 subsequent retirement.

192 2. Active members of the General Assembly who are eligible to receive a retirement allowance under this
193 title, excluding their service as a member of the General Assembly, shall be eligible to receive a retirement
194 allowance based on their creditable service and average final compensation for service other than as a
195 member of the General Assembly. Such members of the General Assembly shall continue to be reported as
196 any other members of the retirement system. Upon ceasing to serve in the General Assembly, members of the
197 General Assembly receiving a retirement allowance based on their creditable service and average final
198 compensation for service other than as a member of the General Assembly shall have their retirement
199 allowance recomputed prospectively to include their service as a member of the General Assembly. Active
200 members of the General Assembly shall be prohibited from receiving a service retirement allowance under
201 this title based solely on their service as a member of the General Assembly.

202 3. (Expires July 1, 2028) Any person receiving a service retirement allowance under this chapter, who is
203 hired by a local public school board (i) as an instructional or administrative employee required to be licensed
204 by the Board of Education, (ii) in a specialized student support position as that term is described in subsection
205 O of § 22.1-253.13:2, or (iii) as a school bus driver, may elect to continue to receive the retirement allowance
206 during such employment, under the following conditions:

207 (a) The person has a break in service of at least six calendar months between retirement and returning to
208 work full time for a local public school board;

209 (b) The person is not receiving a retirement benefit pursuant to an early retirement incentive program from
210 any local public school division within the Commonwealth; and

211 (c) At the time the person is employed, the position to which he is assigned is among those identified by
212 the Superintendent of Public Instruction pursuant to subdivision 4 of § 22.1-23, by the relevant division
213 superintendent, pursuant to § 22.1-70.3, or by the relevant local public school board, pursuant to subdivision
214 9 of § 22.1-79.

215 If the person elects to continue to receive the retirement allowance during the period of such employment,
216 then his service performed and compensation received during such period of time will not increase, decrease,
217 or affect in any way his retirement benefits before, during, or after such employment, nor shall such person be
218 eligible to receive any retirement benefits available to him pursuant to Chapter 6.1 (§ 51.1-607 et seq.). In
219 addition, the employer shall include the person's compensation in membership payroll subject to employer
220 contributions under § 51.1-145.

221 4. (Expires July 1, 2028) Any person receiving a service retirement allowance under this title for service
222 as a sworn law-enforcement officer and who is employed in a local public school division as a school security
223 officer *or school resource officer*, as *those terms are* defined in § 9.1-101, may elect to continue to receive
224 the retirement allowance during such employment under the following conditions: (i) the person has a break
225 in service of at least six calendar months between retirement for service as a sworn law-enforcement officer
226 and employment as a school security officer *or school resource officer*; (ii) the person is not receiving a
227 retirement benefit pursuant to an early retirement incentive program from any local public school division
228 within the Commonwealth; (iii) the person is not receiving a retirement benefit pursuant to an early
229 retirement incentive program from any employer, as defined in § 51.1-124.3; and (iv) the person did not
230 participate in any incentive program established under the second or third enactment of Chapters 152 and 811
231 of the Acts of Assembly of 1995. If the person elects to continue to receive the retirement allowance during
232 the period of such employment, then his service performed and compensation received during such period of
233 time will not increase, decrease, or affect in any way his retirement benefits before, during, or after such
234 employment, nor shall such person be eligible to receive any retirement benefits available to him pursuant to
235 Chapter 6.1 (§ 51.1-607 et seq.). In addition, the employer shall include the person's compensation in
236 membership payroll subject to employer contributions under § 51.1-145.

237 At least once in each four-year period, in conjunction with the actuarial investigation made under
238 subdivision A 4 of § 51.1-124.22, there shall be an actuarial investigation made of the experience under
239 subdivisions B 3 and 4 of this section, and the retirement system shall submit a report to the General
240 Assembly advising it of the results of such investigation.

241 **2. That the provisions of this act providing enhanced retirement benefits to school resource officers**
242 **pursuant to § 51.1-138 of the Code of Virginia, as amended by the act, shall apply only to service**
243 **earned as a school resource officer on or after July 1, 2026.**