

Possible Changes to the Police Officers Retirement System Ordinances

On September 25, 2018, Supervisor McKay requested that five possible changes to the Police Officers Retirement System be presented at an upcoming Personnel Committee meeting.

Spousal Option Changes

Of the five changes proposed, three involve changes to spousal benefit options. These changes would bring the Police system into alignment with benefit provisions for the Employees' and Uniformed Retirement Systems.

Item		Code Reference	Change
A.	Add additional spousal option percentages	3-7-39	Currently, the options are 100%, 66 2/3%, and 50%. The change is to add 75% (like ERS and URS) and 25% (based on member feedback)
B.	Allow for election of spousal option before retirement	3-7-39	Change "may elect at the time of retirement" to "Such election may be made or changed at any time up to the member's actual retirement date"
C.	Allow for revocation of spousal option, in the event of divorce, after retirement	3-7-39	Add the following language, which is the same as language in the Code for the Employees' and Uniformed Systems. "In the event a retired member who has elected the joint and last survivor option shall be divorced from his or her spouse, and such former spouse waives his or her rights to the benefits of the election of the joint and last survivor option, the retired member may revoke his or her joint and last survivor election; such revocation must be accompanied by a certified copy of a court order or decree containing the waiver of the spouse's rights under the joint and last survivor option election."

These three changes do **not** require enabling State legislation and could be implemented according to the following timeline:

Present to Police Retirement Board	Request approval to conduct a Public Hearing	Public Hearing and possible action	Changes become effective
May 8, 2019	June 25, 2019	July 30, 2019	September 1, 2019

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Other Possible Changes That Require State Enabling Legislation

The other two changes involve the composition of the Police Officers Retirement System Board of Trustees and membership in the system.

Item		Code Reference	Change
D.	Increase the number of Board of Trustees members	3-7-10 (a)	Change "Two persons currently employed by the Fairfax County Police Department as sworn police officers" to "three persons"
E.	Allow transfer of service credit from URS or ERS	3-7-23	Add section 3-7-23 (e) as follows: "Under such rules and regulations as are adopted by the Board, any employee who has been a member of the Fairfax County Employees' Retirement System, or the Fairfax County Uniformed Retirement System, and who withdraws therefrom may purchase service credit for service rendered while a member of such other system by paying into this System all contributions that would have been due from him or her had he or she been a member of this System, plus interest at the rate or rates, as established by the Board, for each of the years for which membership service credit is sought."

Given the nature of these changes, and that the Police Officers Retirement System has its basis in State law, these changes do require amendments to the enabling State legislation. Should the Board wish to pursue either or both of these last two changes, they could be addressed through the Board's Legislative Committee.