Potential Criteria for Membership in the Virginia Law Officers' Retirement System ("VaLORS")

I.   All positions currently included in the definition of "employee" in § 51.1-212 (i.e. the same membership as it currently exists, which is also the same as it has existed from the origin of VaLORS in 1999); and

II.   A. All full-time, salaried state employees who are determined by the Virginia Retirement System to be within a law enforcement job classification that has rates of job-related illnesses and injuries directly caused by another person's commission of a crime against the Commonwealth, or caused by the apprehension of any person suspected of such crime, equal to or greater than such rates of illnesses and injuries occurring within those job classifications covered under subsection B of § 51.1-138 (i.e. those local law enforcement employees eligible for additional retirement benefits).

B. The Virginia Retirement System shall not make any determination of eligibility for a job classification under subsection A without first receiving a request for such from the appropriate cabinet secretary for each agency head employing persons in such job classification. Such requests may be submitted beginning 6 months following the effective date of any law enacting the new criteria.

C. If the Virginia Retirement System determines that a job classification meets the qualifications above, persons employed in such classifications shall become members of VaLORS if:

1. The Governor's budget submission to the General Assembly pursuant to § 2.2-1508 contains requisite funding for such membership; and

2. The General Assembly appropriates funding for such membership.