

WEST VIRGINIA LEGISLATURE

REGULAR SESSION, 1953

ENROLLED

SENATE BILL NO. 232

(By Mr. Amos.....)

PASSED March 14.....1953

In Effect immediately from.....Passage



232

ENROLLED

Senate Bill No. 232

(By MR. AMOS)

[Passed March 14, 1953; in effect ninety days from passage.]

AN ACT to amend and reenact section five, article nine, chapter fifty-one of the code of West Virginia, one thousand nine hundred thirty-one, as amended, relating to the eligibility for retirement benefits of judges who have elected not to contribute to the judges' retirement fund.

Be it enacted by the Legislature of West Virginia:

That section five, article nine, chapter fifty-one of the code of West Virginia, one thousand nine hundred thirty-one, as amended, be amended and reenacted to read as follows:

Section 5. *Election Not to Contribute.*—Notwithstanding
2 ing any provisions of this article, any judge may in
3 writing notify the auditor or the county court, as the case

4 may be, within thirty days after he takes office, or, if he
5 is in office, on the date this article becomes effective, then
6 within thirty days from such latter date, that he elects
7 not to make payments or contributions to the fund, in
8 which event every judge, so electing, shall not thereafter
9 at any time be entitled to receive any retirement pay or
10 benefits under provisions of this article: *Provided, how-*
11 *ever,* That any judge who has so elected not to contribute
12 shall thereafter be permitted to become eligible for re-
13 tirement benefits by paying into the judges' retirement
14 fund all contributions he would have been required to
15 pay into the fund, together with interest thereon at four
16 per cent, if he had not previously elected not to con-
17 tribute. If such notice in writing be given, any deduc-
18 tions theretofore made from the salary of such judge and
19 paid into the fund shall be refunded, without interest, to
20 him by the auditor by warrant drawn on the fund.

The Joint Committee on Enrolled Bills hereby certifies that the foregoing bill is correctly enrolled.

W. M. Kuley
Chairman Senate Committee

C. H. Hubler
Chairman House Committee

Originated in the Senate.

Takes effect thirty days from passage.

Howard Meyer
Clerk of the Senate

J. R. Pitt
Clerk of the House of Delegates

Ralph Bean
President of the Senate

W. G. Henry
Speaker House of Delegates

The within approved this the 19th day of March, 1953.

William C. Macland
Governor.



FILED IN THE OFFICE OF THE SECRETARY OF STATE
of West Virginia

MAR 19 1953

D. PITT O'BRIEN,
SECRETARY OF STATE