

FILED

2001 MAY -1 P 2:16

OFFICE WEST VIRGINIA  
SECRETARY OF STATE

**WEST VIRGINIA LEGISLATURE**

Regular Session, 2001

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**ENROLLED**

**SENATE BILL NO.** 552

**(By Senator** Plymale, et al **)**

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**PASSED** April 13, 2001

**In Effect** July 1, 2001 **Passage**

FILED

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ENROLLED

## Senate Bill No. 552

(BY SENATORS PLYMALE, TOMBLIN, MR. PRESIDENT, CRAIGO,  
JACKSON, PREZIOSO, BAILEY, WOOTON, BOWMAN, KESSLER,  
ANDERSON, HUNTER, EDGELL, HELMICK, MINARD, SHARPE,  
ROSS, MITCHELL, LOVE, ROWE, CALDWELL, OLIVERIO,  
MCKENZIE, REDD AND BURNETTE)

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[Passed April 13, 2001; to take effect July 1, 2001.]

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AN ACT to amend article ten, chapter five of the code of West Virginia, one thousand nine hundred thirty-one, as amended, by adding thereto a new section, designated section twenty-two-g, relating to the public employees retirement system; providing for a one-time supplement to the retirement benefit of certain annuitants; and specifying eligibility criteria and setting amounts therefor.

*Be it enacted by the Legislature of West Virginia:*

That article ten, chapter five of the code of West Virginia, one thousand nine hundred thirty-one, as amended, be amended by adding thereto a new section, designated section twenty-two-g, to read as follows:

**ARTICLE 10. WEST VIRGINIA PUBLIC EMPLOYEES RETIREMENT ACT.**

**§5-10-22g. One-time supplement for certain annuitants effective July 1, 2001.**

1 (a) A one-time supplement to retirement benefits shall  
2 be provided to retirees of this system who have: (i)  
3 Reached the specified age threshold; and (ii) have been in  
4 retirement status for the specified number of years, as  
5 follows:

6 (1) For retirees who, as of the first day of July, two  
7 thousand one, are at least sixty-five years of age and who  
8 have been an annuitant for at least five consecutive years,  
9 this one-time supplement shall equal five percent of his or  
10 her annuity benefit as of the effective date of this section;

11 (2) For retirees who, as of the first day of July, two  
12 thousand one, are at least seventy years of age and who  
13 have been an annuitant for at least five consecutive years,  
14 this one-time supplement shall equal ten percent of his or  
15 her annuity benefit as of the effective date of this section;  
16 and

17 (3) For any person who, as of the first day of July, two  
18 thousand one, is at least sixty-five years of age and who  
19 retired under the early retirement incentive provided in  
20 section twenty-two-c of this article, this one-time supple-  
21 ment shall equal three percent of his or her annuity benefit  
22 as of the effective date of this section and subdivisions (1)  
23 and (2) of this subsection do not apply.

24 (b) The one-time supplement provided for in this section  
25 applies only to members who have retired prior to or as of  
26 the effective date of this section or, if applicable, to  
27 beneficiaries receiving benefits under the retirement  
28 system prior to or as of the effective date of this section:  
29 *Provided*, That the supplement provided herein is subject  
30 to any applicable limitations thereon under Section 415 of  
31 the Internal Revenue Code of 1986, as amended.

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

*Carly Olson*  
.....  
Chairman Senate Committee

*A. J. Tompkins*  
.....  
Chairman House Committee

Originated in the Senate.

To take effect July 1, 2001.

*Dorell E. Jones*  
.....  
Clerk of the Senate

*Burgess D. Bury*  
.....  
Clerk of the House of Delegates

*Carl Ray Tomblin*  
.....  
President of the Senate

*F. H. [Signature]*  
.....  
Speaker House of Delegates

The within *is approved* ..... this the *30<sup>th</sup>*  
Day of *April* ....., 2001.

*Rob Wise*  
.....  
Governor

PRESENTED TO THE

GOVERNOR

Date 4/25/01

Time 5:20 pm