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2010 APR -2 PM 4:07

WEST VIRGINIA LEGISLATURE
SEVENTY-NINTH LEGISLATURE
REGULAR SESSION, 2010

ENROLLED

Senate Bill No. 519

(BY SENATORS FOSTER, DEEM, EDGELL,
HALL AND McCABE)

[Passed March 13, 2010; in effect from passage.]

SB 519

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OFFICE OF THE
SECRETARY OF STATE

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Senate Bill No. 519

(BY SENATORS FOSTER, DEEM, EDGELL, HALL AND MCCABE)

[Passed March 13, 2010; in effect from passage.]

AN ACT to amend and reenact §8-22A-28 of the Code of West Virginia, 1931, as amended, relating to extending Social Security benefits to members of the West Virginia Municipal Police Officers and Firefighters Retirement System.

Be it enacted by the Legislature of West Virginia:

That §8-22A-28 of the Code of West Virginia, 1931, as amended, be amended and reenacted to read as follows:

**ARTICLE 22A. WEST VIRGINIA MUNICIPAL POLICE OFFICERS AND
FIREFIGHTERS RETIREMENT SYSTEM.**

§8-22A-28. How a municipality or municipal subdivision becomes a participating public employer; duty to request referendum on Social Security coverage.

- 1 (a) Subject to section sixteen, article twenty-two of this
- 2 chapter, any municipality or municipal subdivision
- 3 employing municipal police officers or firefighters may by
- 4 a majority of the members of its governing body eligible to

5 vote, elect to become a participating public employer and
6 thereby include its police officers and firefighters in the
7 membership of the plan. The clerk or secretary of each
8 municipality or municipal subdivision electing to become
9 a participating public employer shall certify the determi-
10 nation of the municipality or municipal subdivision by
11 corporate resolution to the Consolidated Public Retire-
12 ment Board within ten days from and after the vote of the
13 governing body. Separate resolutions are required for
14 municipal police officers and municipal firefighters. Once
15 a municipality or municipal subdivision elects to partici-
16 pate in the plan, the action is final and it may not, at a
17 later date, elect to terminate its participation in the plan.

18 (b) On or before October 1, 2011, the participating
19 employers shall jointly submit a plan to the State Auditor,
20 pursuant to section five, article seven, chapter five of this
21 code, to extend Social Security benefits to members of the
22 retirement system.

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

[Handwritten Signature]
.....
Chairman Senate Committee

[Handwritten Signature]
.....
Chairman House Committee

Originated in the Senate.

In effect from passage.

[Handwritten Signature]
.....
Clerk of the Senate

[Handwritten Signature]
.....
Clerk of the House of Delegates

[Handwritten Signature]
.....
President of the Senate

[Handwritten Signature]
.....
Speaker House of Delegates

The within *is* approved..... this the *2nd*
Day of *April*....., 2010.

[Handwritten Signature]
.....
Governor

PRESENTED TO THE
GOVERNOR

MAR 30 2010

Time 4:20 pm