

WEST VIRGINIA LEGISLATURE

REGULAR SESSION, 1943



ENROLLED

HOUSE BILL No. 256

(By Mr. Holt, of Lewis)



PASSED March 12, 1943

In Effect from Passage

452

ENROLLED
House Bill No. 256

(BY MR. HOLT, of Lewis)

[Passed March 12, 1943; in effect from passage.]

AN ACT to amend article seven-a, chapter eighteen of the code of West Virginia, one thousand nine hundred thirty-one, as last amended, by adding thereto a new section to be designated section thirteen-a, relating to the return of retired teachers to teaching service as a war emergency measure without loss of prior service retirement credit.

Be it enacted by the Legislature of West Virginia:

That article seven-a of the code of West Virginia, one thousand nine hundred thirty-one, as last amended, be amended by adding thereto a new section to be designated section thirteen-a, to read as follows:

Section 13-a. *Resumption of Teaching by Retired Teachers.*—For the purpose of this section, reemployment of a former or retired teacher as a teacher shall in no way impair the teacher's eligibility for a prior service pension.

5 For the duration of the present war and until such time
6 thereafter as the state board of education shall have
7 declared by resolution that a teacher emergency no
8 longer obtains, teachers who have been retired on pen-
9 sion under the provisions of this article may resume
10 teaching without forfeiting their pension rights granted
11 upon first retirement, but will not be entitled to receive
12 pension for the period of resumed teaching. When the
13 amount received within any school year from teaching
14 equals or exceeds the amount of pension for that year,
15 such teachers shall not receive pension allowance for
16 those months of the school year following the months
17 taught. The pension allowance granted on first retirement
18 shall be promptly resumed at such time as the teacher
19 shall have filed with the retirement board a certified
20 statement of withdrawal from teaching, together with any
21 additional information the board may require, provided
22 it is shown that the amount received from teaching was
23 less than the amount that would have been received from
24 pension that year; otherwise, the pension allowance shall
25 be resumed at the end of the school year. The annuity

26 paid any such teacher on first retirement resulting from
27 the teachers' accumulation fund and the employers' ac-
28 cumulation fund shall continue throughout the teaching
29 period and thereafter according to the option selected by
30 the teacher upon first retirement: *Provided*, That retired
31 teachers who resume teaching will not be eligible to make
32 any further contribution to the teachers' accumulation
33 fund and thus not affect the annuity under the option
34 selected when first retiring.

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

Ray F. Johnson
Chairman Senate Committee

Fred L. Rotloff
Chairman House Committee

Originated in the House of Delegates

Takes effect from passage.

Fred B. Watkins
Clerk of the Senate

Phillip
Clerk of the House of Delegates

James Pauee
President of the Senate

John E. Amos
Speaker House of Delegates

The within approved this the 19th
day of March, 1943.

Matthew M. Neely
Governor.



Filed in the office of the Secretary of State
of West Virginia MAR 19 1943

Wm. S. O'BRIEN,
Secretary of State