WEST VIRGINIA LEGISLATURE
REGULAR SESSION, 1943

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ENROLLED

HOUSE BILL No. 256

(By Mr. Holt, of Lewis)

PASSED March 12, 1943

In Effect from Passage
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.
For the duration of the present war and until such time thereafter as the state board of education shall have declared by resolution that a teacher emergency no longer obtains, teachers who have been retired on pension under the provisions of this article may resume teaching without forfeiting their pension rights granted upon first retirement, but will not be entitled to receive pension for the period of resumed teaching. When the amount received within any school year from teaching equals or exceeds the amount of pension for that year, such teachers shall not receive pension allowance for those months of the school year following the months taught. The pension allowance granted on first retirement shall be promptly resumed at such time as the teacher shall have filed with the retirement board a certified statement of withdrawal from teaching, together with any additional information the board may require, provided it is shown that the amount received from teaching was less than the amount that would have been received from pension that year; otherwise, the pension allowance shall be resumed at the end of the school year. The annuity
paid any such teacher on first retirement resulting from the teachers' accumulation fund and the employers' accumulation fund shall continue throughout the teaching period and thereafter according to the option selected by the teacher upon first retirement: Provided, That retired teachers who resume teaching will not be eligible to make any further contribution to the teachers' accumulation fund and thus not affect the annuity under the option selected when first retiring.
The Joint Committee on Enrolled Bills hereby certifies that the foregoing bill is correctly enrolled.

[Signatures]

Chairman Senate Committee

Chairman House Committee

Originated in the House of Delegates

Takes effect from passage.

Clerk of the Senate

Clerk of the House of Delegates

President of the Senate

Speaker House of Delegates

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

Governor.

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

Wm. S. O'Brien,
Secretary of State