WEST VIRGINIA LEGISLATURE
REGULAR SESSION, 1949

ENROLLED

HOUSE BILL No. 294

(By Mr. Doyle)

PASSED March 12, 1949

In Effect From Passage
AN ACT to amend and reenact section four, article fifteen, chapter eight of the code of West Virginia, one thousand nine hundred thirty-one, relating to municipal employees eligible for participation in employees' retirement and benefit fund.

Be it enacted by the Legislature of West Virginia:

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

Sec. 4. Employees Eligible for Participation in Fund.—

2 Employees eligible for participation in the fund shall include all employees who are employed by the municipality on a permanent basis. The following employees, however, shall not be eligible for participation in the fund:

6 (1) Appointive members of administrative boards and
commissions, except employees of such boards and commissions;

(2) Persons employed under contract for a definite period or for the performance of a particular special service;

(3) Employees serving on a part-time basis of less than one-half time;

(4) Policemen and firemen who are now covered by a pension or relief fund;

(5) Employees who are paid in part by the county, state or other governmental agency, and only in part by the municipality;

(6) Employees who are past sixty years of age and have less than ten years of service;

(7) Persons employed after the establishment date of the fund who are over fifty years of age.

The board of trustees of the fund may make determination as to any person’s eligibility to become a member of the fund.

All employees eligible for participation at the effective date of the fund shall become members of the fund, unless they file a written election not to become a member within
thirty days after the effective date of the fund: Provided,

That no member who has complied with section six of
this article shall be entitled to any benefits under the
fund until he has been in the employ of the municipality
for at least five years after the effective date of the fund,
except those who are disabled in the performance of their
duties may participate in the fund in the manner here-
inafter provided: Provided further, That the municipality
with the approval of the trustees of said fund may retire
any member prior to the expiration of said five years.
The Joint Committee on Enrolled Bills hereby certifies that the foregoing bill is correctly enrolled.

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 18th day of March, 1949.

Governor.

Filed in the Office of the Secretary of State of West Virginia MAR 18, 1949

D. Pitt O'Brien, Secretary of State