

WEST VIRGINIA LEGISLATURE

REGULAR SESSION, 1953



ENROLLED

HOUSE BILL No. 138

(By Mr. Maxwell)



PASSED March, 3, 1953

In Effect Ninety days from Passage



Filed in the Office of the Secretary of State
of West Virginia MAR 7 1953

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House Bill No. 138

(By MR. MAXWELL)

[Passed March 3, 1953; in effect ninety days from passage.]

AN ACT to amend and reenact section twenty-eight-f, article two, chapter fifteen of the code of West Virginia, one thousand nine hundred thirty-one, as amended, relating to benefits payable from disability and retirement fund for children of state police.

Be it enacted by the Legislature of West Virginia:

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

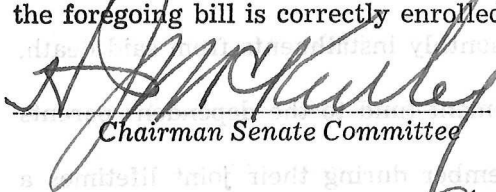
Section 28-f. *Death of Member in Performance of Duty;*

2 *Dependents; Awards and Benefits.*—The widow or the
3 children under the age of eighteen years or dependent
4 parent or parents of any member who has lost or shall
5 lose his life by reason of injury, illness or disease resulting
6 from an occupation risk or hazard inherent in or peculiar

7 to the service required of members while such member
8 was or shall be engaged in the performance of his duties
9 as a member of said department, or if said member shall
10 die from any cause after having been retired pursuant
11 to the provisions of section twenty-eight-b of this article,
12 shall be entitled to receive and shall be paid from the
13 death, disability and retirement fund benefits as follows:
14 To the widow annually, in equal monthly installments
15 during her lifetime or until her remarriage, an amount
16 equal to two per cent of the total salary which would have
17 been earned by said deceased member during twenty-five
18 years of service in said department based on his average
19 earnings while employed as a member of said department.
20 In addition thereto such widow shall be entitled to receive
21 and there shall be paid to her twenty dollars monthly for
22 each child until such child shall attain the age of eighteen
23 years. If such widow shall die or remarry or if there be
24 no widow there shall be paid monthly to such child or
25 children from the death, disability and retirement fund
26 the sum of twenty dollars each until such child or children
27 shall respectively attain the age of eighteen years. If there

28 be no widow and no child or children, there shall be paid
29 annually in equal monthly installments from said death,
30 disability and retirement fund to the dependent parents
31 of said deceased member during their joint lifetimes a
32 sum equal to the amount which a widow, without children,
33 would have received: *Provided*, That when there shall
34 be but one dependent parent surviving, such parent shall
35 be entitled to receive during his or her lifetime one-half
36 the amount which both parents, if living, would have been
37 entitled to receive.

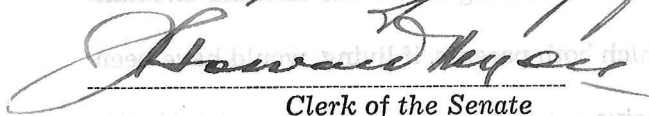
The Joint Committee on Enrolled Bills hereby certifies that the foregoing bill is correctly enrolled.


Chairman Senate Committee

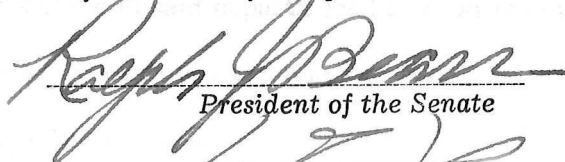

Chairman House Committee

Originated in the House of Delegates

Takes effect Ninety days 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 7th
day of March, 1953.


Governor

