WEST VIRGINIA LEGISLATURE
REGULAR SESSION, 1953

ENROLLED

SENATE BILL NO. 232

(By Mr. Amos)

PASSED March 14, 1953

In Effect ninety-one days from Passage
AN ACT to amend and reenact section five, article nine, chapter fifty-one of the code of West Virginia, one thousand nine hundred thirty-one, as amended, relating to the eligibility for retirement benefits of judges who have elected not to contribute to the judges' retirement fund.

Be it enacted by the Legislature of West Virginia:

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

Section 5. Election Not to Contribute.—Notwithstanding any provisions of this article, any judge may in writing notify the auditor or the county court, as the case
may be, within thirty days after he takes office, or, if he
is in office, on the date this article becomes effective, then
within thirty days from such latter date, that he elects
not to make payments or contributions to the fund, in
which event every judge, so electing, shall not thereafter
at any time be entitled to receive any retirement pay or
benefits under provisions of this article: Provided, how-
ever, That any judge who has so elected not to contribute
shall thereafter be permitted to become eligible for re-
tirement benefits by paying into the judges' retirement
fund all contributions he would have been required to
pay into the fund, together with interest thereon at four
per cent, if he had not previously elected not to con-
tribute. If such notice in writing be given, any deduc-
tions theretofore made from the salary of such judge and
paid into the fund shall be refunded, without interest, to
him by the auditor by warrant drawn on the fund.
The Joint Committee on Enrolled Bills hereby certifies that the foregoing bill is correctly enrolled.

Chairman Senate Committee

Chairman House Committee

Originated in the Senate.

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 19th day of March, 1953.

Governor.

Noted in the office of the Secretary of State of West Virginia MAR 19 1953

D. Pitt O'Brien, Secretary of State