

WEST VIRGINIA LEGISLATURE  
REGULAR SESSION, 1959

ENROLLED

HOUSE BILL No. 325

(By Mr. PARKER SEIBERT)

PASSED March 11 1959

In Effect from Passage



Filed in Office of the Secretary of State  
of West Virginia MAR 19 1959

JOE F. BURDETT  
SECRETARY OF STATE

**ENROLLED**

**House Bill No. 325**

(By MR. PARKER and MR. SEIBERT)

[Passed March 11, 1959; in effect from passage.]

AN ACT to amend and reenact section twelve, article nine, chapter fifty-one of the code of West Virginia, one thousand nine hundred thirty-one, as amended, relating to retirement system for judges of courts of record and refunds of money paid into the retirement fund.

*Be it enacted by the Legislature of West Virginia:*

That section twelve, 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 12. *Refunds.*—Any judge of a court of record of  
2 this state whose services have terminated, otherwise than  
3 by retirement under provisions of this article, shall, upon  
4 his written demand, or the written demand of his personal  
5 representative, filed with the state auditor, by a proper  
6 warrant of the state auditor drawn on the fund, be re-

7 funded, without interest, any and all money paid by or for  
8 said judge into the fund. Such repayment shall terminate  
9 all rights of said judge to participate thereafter at any  
10 time in the benefits and pay of the retirement system,  
11 without prejudice, however, to his right to reenter the sys-  
12 tem after a subsequent appointment or election to a quali-  
13 fied judgeship, but without credit for any prior years of  
14 service: *Provided, however,* That should a retired judge die  
15 while receiving retirement benefits under the provisions  
16 of this article and before he has received from the judges'  
17 retirement fund an amount equal to, or in excess of, sums  
18 paid by him into such fund, then and in that event, the  
19 state auditor shall, upon the written demand of his per-  
20 sonal representative, filed with said state auditor, by a  
21 proper warrant of the state auditor drawn on the fund,  
22 refund, without interest, to such judge's estate an amount  
23 equal to the difference between the amount paid into the  
24 fund by or for said judge and the amount of retirement  
25 benefits paid to him.

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

*W. W. Jasper*  
Chairman, Senate Committee

*Eudora Andrews*  
Chairman House Committee

Originated in the House of Delegates

Takes effect *from* passage.

*J. Thomas Keyser*  
Clerk of the Senate

*C. A. Blankenship*  
Clerk of the House of Delegates

*Ralph J. Bean*  
President of the Senate

*H. R. Paulley*  
Speaker, House of Delegates

The within *approved* this the *18<sup>th</sup>*

day of *March* 1959.

*Jeff D. Henderson*  
Governor

