WEST VIRGINIA LEGISLATURE
REGULAR SESSION, 1963

ENROLLED

HOUSE BILL No. 206

(By Mr. White and Mr. Sickert)

PASSED February 23, 1963

In Effect

Filed in Office of the Secretary of State
of West Virginia 3-1-63

JOE F. BURDETT
SECRETARY OF STATE
ENROLLED

House Bill No. 306
(By Mr. White and Mr. Seibert)

(Passed February 21, 1963; In)

AN ACT to amend and reenact section fourteen, article six,
chapter eight of the code of West Virginia, one thousand
nine hundred thirty-one, as amended, relating to firemen's
and policemen's pensions or relief funds, providing for the
assessment of taxes and contributions from salaries to
maintain such funds.

Be it enacted by the Legislature of West Virginia:

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

Article 6. Fire Department, Fire Companies, and Firemen's
and Policemen's Pensions or Relief Funds.
Section 14. Levy to Maintain Fund; Gifts, etc.; Assessments on Members of Departments; Return of Assessments.—In every municipality there shall be a firemen's pension or relief fund and a policemen's pension or relief fund, which shall be maintained as follows: The council or other governing body of each municipality shall levy annually and in the manner provided by law for other municipal levies, and include within the maximum levy or levies permitted by law, and if necessary in excess of any charter provision, a tax at such rate as will, after crediting all interest, if any, to be received in such year from the investments of the respective boards, provide funds equal to the sum of (1) the full amount of estimated expenditures of the boards of trustees of the respective funds and (2) an additional amount equal to ten per cent of such estimated expenditures, said ten per cent amount to be taken, accumulated and invested, if possible, as surplus reserve: Provided, however, That in no event shall such levy for each of the respective boards of trustees be less than one cent nor more than five cents on each one hundred dollars of all real and personal property
as listed for taxation in such municipality: Provided,

That in any city or municipality of eight thousand three
hundred population or less the laying of the levies herein
provided for shall be within the discretion of the common
council or other body of like power and duties in such
city or municipality.

The levies authorized under this section, or any part
of them, may by the council or other governing body be
laid in addition to all other municipal levies, and to that
extent, beyond the limit of levy imposed by the charter
of such municipality; and such levies shall supersede and
if necessary exclude levies for other purposes if such
priority or exclusion is necessary under limitations upon
taxes or tax levies imposed by law.

Such corporations are authorized to take by gift, grant,
device or bequest, any money or real or personal property,
upon such terms as to the investment and expenditure
thereof as may be fixed by the grantor or determined by
said trustees.

In addition to all other sums provided for pensions in
this section, it shall be the duty of every municipal cor-
poration to assess and collect from each member of such
fire department and police department each month, the
sum of four per cent of the actual salary or compensation
of such member; and the amount so collected shall be-
come a regular part of the firemen's pension fund, if
collected from a fireman, and of the policemen's pension
fund, if collected from a policeman.

Any member of a municipal fire or police department
who is released or who before retirement on any pension
severs his connection with said department, provided he
has served two full years or more, shall, upon request,
be refunded all deductions made from his salary, but
without interest. In event such refund is made and such
member subsequently reenters the department no credit
shall be allowed him for any former service, unless any
such member of a municipal fire or police department
repays to the pension fund all sums refunded to him
within one year from the date he reenters the department
with interest at the rate of six per cent per annum, and
provided further that any member who, at the time this
amendment becomes effective, has already reentered the
department, shall be allowed credit for any former service upon repaying all sums withdrawn or refunded to him within one year from the date this amendment becomes effective with interest at the rate of six per cent per annum, but in no case shall interest be charged for more than three years.
The Joint Committee on Enrolled Bills hereby certifies that the foregoing bill is correctly enrolled.

O. Roy Parker  
Chairman Senate Committee

E. Lee Landall  
Chairman House Committee

Originated in the House.

Takes effect 
from  
passage.

Norwood May  
Clerk of the Senate

C. A. Blankenship  
Clerk of the House of Delegates

Howard W. Carson  
President of the Senate

Johns W. Ruffin  
Speaker House of Delegates

The within approved this the 28th day of February, 1963.

Governor