

# WEST VIRGINIA LEGISLATURE

REGULAR SESSION, 1965



## ENROLLED

*Committee Substitute for*  
HOUSE BILL No. 902

(By Mr. Black *by Mr. Castleberry*)



PASSED March 13 1965

In Effect from Passage



FILED IN THE OFFICE OF  
THE CLERK  
OF THE HOUSE OF DELEGATES

3-19-65

#902

**ENROLLED**  
COMMITTEE SUBSTITUTE  
FOR  
**House Bill No. 902**  
(Originating in the Committee on the Judiciary)

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[Passed March 13, 1965; in effect from passage.]

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AN ACT to amend article ten, chapter five of the code of West Virginia, one thousand nine hundred thirty-one, as amended, by adding thereto a new section, designated section fifty-one, relating to a contributing retirement system for persons in the employ of the state and affiliated political subdivisions of the state.

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

That article ten, chapter five of the code of West Virginia, one thousand nine hundred thirty-one, as amended, be amend-

ed by adding thereto a new section, designated section fifty-one, to read as follows:

**Article 10. West Virginia Public Employees Retirement Act.**

**Section 51. Withdrawal.**—The police department

2 and/or fire department of any municipality of this state,  
3 which municipality is a participating employer as de-  
4 fined in section two (5) hereof, may withdraw its firemen  
5 and/or policemen<sup>e</sup> from the West Virginia Public em-  
6 ployees retirement system provided the following con-  
7 ditions are met:

8 (1) City count<sup>ies</sup><sup>ies, by</sup> appropriate ordinance, permits all of  
9 its policemen of its police department and/or all of its fire-  
10 men of its fire department to withdraw from the system.

11 (2) Each member of its police department and/or fire  
12 department so withdrawing from the retirement system  
13 must execute a release of all claims against the West Vir-  
14 ginia public employees retirement system.

15 (3) Before any such withdrawal shall be effective, the  
16 consulting actuary to the retirement system shall com-  
17 pute all past, present and future liabilities and the mu-  
18 nicipality shall pay the retirement system for all such

19 liabilities before any withdrawal shall be effective; after  
20 an effective withdrawal, pursuant to the terms hereof, if  
21 additional liabilities of a municipality are discovered, the  
22 board of trustees shall certify such sums due the retire-  
23 ment system and the municipality shall thereafter forth-  
24 with pay said sum due the system.

25 (4) Compliance with rules and regulations as the  
26 board of trustees may from time to time promulgate sup-  
27 plementing the above conditions.

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

O. Ray Parker  
Chairman Senate Committee

James W. Loop  
Chairman House Committee

Originated in the House.

Takes effect from passage.

Thomas H. Myers  
Clerk of the Senate

C. A. Blankenship  
Clerk of the House of Delegates

Howard W. Basson  
President of the Senate

H. John White  
Speaker House of Delegates

The within approved this the 19  
day of March, 1965.

Hullett C. Smith  
Governor