WEST VIRGINIA LEGISLATURE
REGULAR SESSION, 1967

ENROLLED

HOUSE BILL No. 1026

(By Mr. 

PASSED ________________
March 11, 1967

In Effect ________________

FILED IN THE OFFICE
ROBERT D. BAILEY
SECRETARY OF STATE
THIS DATE 3-21-67
ENROLLED
House Bill No. 1026
(By Mr. Auvil)

[Passed March 11, 1967; in effect ninety days from passage.]

AN ACT to amend chapter eighteen of the code of West Virginia, one thousand nine hundred thirty-one, as amended, by adding thereto a new article, designated article twenty-three, empowering county boards of education, the teachers retirement board, the West Virginia board of education and the board of governors of West Virginia University and their agencies, to enter into salary reduction agreements with their teachers and other employees, and to apply the amount of such reduction toward the purchases of tax sheltered annuities for such teachers or other employees, and prescribing the conditions under which such reductions will be made.
Be it enacted by the Legislature of West Virginia:

That chapter eighteen of the code of West Virginia, one thousand nine hundred thirty-one, as amended, be amended by adding thereto a new article, designated article twenty-three, to read as follows:

ARTICLE 23. TAX SHELTERED ANNUITIES.

§18-23-1. Tax Sheltered Annuities.

A county board of education, the teachers retirement board, the West Virginia board of education and the board of governors of West Virginia University and their agencies may provide by written agreement between any such board or agency and any teacher or other employee, to reduce the cash salary payable to such teacher or other employee, and, in consideration thereof, to pay an amount equal to the amount of such reduction to an insurance company licensed to do business in this state as premiums on an annuity contract owned by such teacher or other employee, which annuity contract shall be in such form and upon such terms as will qualify the payments thereon for tax deferment under the United States internal revenue code, or to pay an amount equal to the
amount of such reduction as voluntary deposits to the
teachers retirement board as provided by section eighteen,
article seven-a, chapter eighteen of this code. The amount
of such reduction shall not exceed the amount excludible
from income under Section 403(b) of the United States
internal revenue code and amendments and successor
provisions thereto, and shall be considered a part of the
teacher's or employee's salary for all purposes other than
federal and state income tax.

The purchase of such tax sheltered annuity for a teacher
or other employee by a board of education, the teachers
retirement board, the West Virginia board of education
and the board of governors of West Virginia University
and their agencies shall impose no liability nor respon-
sibility whatsoever on said boards or members thereof
except to show that the payments have been remitted for
the purposes for which deducted,
The Joint Committee on Enrolled Bills hereby certifies that the foregoing bill is correctly enrolled.

William Tempest
Chairman Senate Committee

Clayton C. Davidson
Chairman House Committee

Originated in the House.

Takes effect ninety days from passage.

John H. Neely
Clerk of the Senate

L.A. Blankenship
Clerk of the House of Delegates

Howard J. Carano
President of the Senate

H. John White
Speaker House of Delegates

The within approved this the 17 day of March, 1967.

Hilbert C. Smith
Governor