

WEST VIRGINIA LEGISLATURE

REGULAR SESSION, 1967



ENROLLED

HOUSE BILL No. 871

(By Mr. Watson and Mr. Serfaty)



PASSED February 21, 1967

In Effect from Passage



FILED IN THE OFFICE  
ROBERT D. BAILEY  
SECRETARY OF STATE  
THIS DATE 3-8-67

168  
# 871

**ENROLLED**

# House Bill No. 871

(By MR. WATSON and MR. SELBERT)

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[Passed February 24, 1967; in effect from passage.]

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AN ACT to amend and reenact section six-b, article nine, chapter fifty-one of the code of West Virginia, one thousand nine hundred thirty-one, as amended, relating to eligibility for and the payment of annuities to the widows of judges who qualify for retirement benefits under the retirement system for judges of courts of record or who, at death, have served at least sixteen full years as a judge of any of the courts of record of this state.

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

That section six-b, 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:

**ARTICLE 9. RETIREMENT SYSTEM FOR JUDGES OF COURTS OF RECORD.**

**§51-9-6b. Annuities for widows of judges eligible for retirement benefits or who have served sixteen full years as judge of any court of record; amount and payment.**

1     There shall be paid, from the fund created by section  
2     two of this article, an annuity to the widow of a judge,  
3     who, at death, is eligible for the retirement benefits pro-  
4     vided by section six, six-a or eight of this article, or who,  
5     at death, has served at least sixteen full years as a judge  
6     of any court of record of this state, and who dies, either  
7     while in office or after resignation or retirement from  
8     office pursuant to the provisions of this article: *Provided,*  
9     *however,* That any annuity accruing under this section  
10    shall be paid from, and only from, the fund, and the in-  
11    terest thereon, accumulated through the contributions of  
12    judges from whose salary deductions have been made, as  
13    herein provided, and no annuity accruing hereunder  
14    shall be paid from any public moneys contributed to the  
15    judges' retirement fund by the state of West Virginia.

16    Said annuity shall amount to forty per cent of the

17 annual salary of the office which said judge held at his  
18 death or from which he resigned or retired. In the event  
19 said salary is increased or decreased while an annuitant  
20 is receiving the benefits hereunder, her annuity shall  
21 amount to forty per cent of the new salary. The annuity  
22 granted hereunder shall accrue monthly and shall be due  
23 and payable in monthly installments on the first business  
24 day of the month following the month for which the  
25 annuity shall have accrued. Such annuity shall commence  
26 on the first day of the month in which said judge dies  
27 and shall terminate upon the death or remarriage of the  
28 annuitant.

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

*William Tompva*  
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Chairman Senate Committee

*Clayton C. Davidson*  
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Chairman House Committee

Originated in the House.

Takes effect from passage

*Thomas Keyser*  
-----  
Clerk of the Senate

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

*Howard R. Starn*  
-----  
President of the Senate

*H. Labra White*  
-----  
Speaker House of Delegates

The within approved this the 8  
day of March, 1967.

*Hubert C. Smith*  
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Governor



PRESENTED TO THE  
GOVERNOR

Date 3-4-67

Time 11:10 AM