

WEST VIRGINIA LEGISLATURE

REGULAR SESSION, 1968

ENROLLED

SENATE BILL NO. 45

(By Mr. McKown)

PASSED February 5, 1968

In Effect for Passage

FILED IN THE OFFICE
ROBERT D. BAILEY
SECRETARY OF STATE
THIS DATE 2-16-68

115
#

ENROLLED

Senate Bill No. 115

(By MR. MCKOWN)

[Passed February 5, 1968; in effect from passage.]

AN ACT to amend and reenact section four, article thirteen, chapter five of the code of West Virginia, one thousand nine hundred thirty-one, as amended, relating to reciprocal service under the public employees' and teachers' retirement systems.

Be it enacted by the Legislature of West Virginia:

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

ARTICLE 13. PUBLIC EMPLOYEES' AND TEACHERS' RECIPROCAL SERVICE CREDIT ACT.

§5-13-4. Reciprocal service.

1 In the event a member leaves a position covered by
2 the public system and within five years thereafter be-

3 comes employed in a position covered by the teacher
4 system, or a member leaves the position covered by the
5 teacher system and within five years thereafter be-
6 comes employed in a position covered by the public
7 system, in either case, the following provisions shall
8 apply, together with such rules and regulations as the
9 board of trustees of the public system and the retire-
10 ment board of the teacher system shall from time to time
11 mutually agree upon.

12 (a) A member's reciprocal service credit in force shall
13 be used to satisfy the service requirements for retirement
14 under the state system from which he retires.

15 (b) If a member, who has reciprocal service credit
16 in force, retires under the public system, he shall receive
17 an annuity payable by the public system and an annuity
18 payable by the teacher system. His public system annuity
19 shall be based upon (1) the portion of his reciprocal
20 service credit acquired as a member of the public system,
21 and (2) his public final average salary. His teacher system
22 annuity shall be based upon (1) the portion of his re-
23 ciprocal service credit acquired as a member of the

24 teacher system, and (2) his teachers' retirement allow-
25 ance as provided by the teachers' retirement act. His
26 teacher system annuity shall begin as of the date he retires
27 under the public system, but in no case prior to the
28 date he would have been eligible to retire under the
29 teacher system if all his reciprocal service credit had
30 been acquired as a member of the teacher system.

31 (c) If a member, who has reciprocal service credit
32 in force, retires under the teacher system, he shall re-
33 ceive an annuity payable by the teacher system and
34 an annuity payable by the public system. His teacher
35 system annuity shall be based upon (1) the portion of
36 his reciprocal service credit acquired as a member of
37 the teacher system, and (2) his teachers' retirement
38 allowance as provided by the teachers' retirement act.
39 His public system annuity shall be based upon (1) the
40 portion of his reciprocal service credit acquired as a
41 member of the public system, and (2) his public final
42 average salary. His public system annuity shall begin
43 as of the date he retired under the teacher system, but
44 in no case prior to the date he would have been eligible

45 to retire under the public system if all his reciprocal
46 service credit had been acquired as a member of the
47 public system.

48 The provisions of this section, as amended, shall be retro-
49 active to June eleventh, one thousand nine hundred sixty-
50 five.

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

William Thomas
Chairman Senate Committee

Clayton L. Davidson
Chairman House Committee

Originated in the Senate.

To take effect from passage.

Howard May
Clerk of the Senate

W. Blackenship
Clerk of the House of Delegates

Howard W. Carson
President of the Senate

H. Luban White
Speaker House of Delegates

The within approved this the 14
day of February, 1968.

Herbert C. Smith
Governor



PRESENTED TO THE
GOVERNOR

Date

2/12/68

Time

3:00 P.m.

RECEIVED

FEB 13 1 30 PM '68

OFFICE OF
SERIES OF STATE
STATE OF ALABAMA