WEST VIRGINIA LEGISLATURE
REGULAR SESSION, 1969

ENROLLED
SENATE BILL NO. 190
(By Mr. [Signature])

PASSED March 7, 1969
In Effect Ninety days from Passage

FILED IN THE OFFICE
JOHN D. ROCKEFELLER, IV
SECRETARY OF STATE
THIS DATE 3-17-69
AN ACT to amend and reenact section thirteen, article seven-a, chapter eighteen of the code of West Virginia, one thousand nine hundred thirty-one, as amended, relating to membership in the state teachers retirement system; cessation of membership and payments for membership rights.

Be it enacted by the Legislature of West Virginia:

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

ARTICLE 7A. STATE TEACHERS RETIREMENT SYSTEM.
§18-7A-13. Membership in retirement system; cessation of membership; payments for membership rights.

1 The membership of the retirement system shall consist of the following:

2 (a) All persons, except new entrants, employed as teachers at the time they become eligible for membership who, within a year after becoming eligible for membership, notify the retirement board in writing of their decision to become members. Any such persons who fail to notify the board shall automatically be constituted members one year after they become eligible, unless the retirement board receives written notice from them declining membership in the system.

3 (b) New entrants, whose membership in the system shall be compulsory upon employment as teachers.

4 The membership of any person in the retirement system shall cease:

5 (1) Upon the withdrawal of his accumulated contributions after the cessation of teaching service, or (2) upon retirement, or (3) at death, or (4) if service amounts to less than five years in any period of ten consecutive
years. For the sole purpose of preventing loss of membership under subdivision four, a deposit by the member to his individual account in the teachers accumulation fund of an amount equalling his last annual contribution shall be the amount necessary to maintain membership status for a period of one year.

Any former member of the retirement system who has withdrawn his accumulated contributions but subsequently reenters the retirement system shall be permitted to repay to the retirement fund the amount withdrawn, plus payment for absence as provided herein, and shall be accorded all the rights to prior service and experience as he held at the time of withdrawal of such accumulated contributions.

Any person in subdivision (a) of this section who elects to become a member after having declined to accept membership, shall be permitted to enter the retirement system, but shall be accorded only the rights of a new entrant, unless he deposits in the reserve fund twenty-five dollars for each year of his prior service.

After making such a deposit, he shall be deemed a present
teacher, and may elect to contribute retroactively to retirement account for those years, if any, during which he served as a teacher but elected not to contribute. No member shall be eligible for prior service credit unless he is eligible for prior service pension, as prescribed by section twenty-two of this article; however, a new entrant who becomes a present teacher as provided in this paragraph shall be deemed eligible for prior service pension upon retirement.
The Joint Committee on Enrolled Bills hereby certifies that the foregoing bill is correctly enrolled.

William Tampas
Chairman Senate Committee

Clayton C. A. Caudle
Chairman House Committee

Originated in the Senate.

To take effect 90 days from passage.

J. Lawrence King
Clerk of the Senate

J. C. A. Blankenship
Clerk of the House of Delegates

S. C. Jackson
President of the Senate

J. B. Roane
Speaker House of Delegates

The within approved this the 17th day of March, 1969.

Arch A. Shade Jr.
Governor
PRESENTED TO THE
GOVERNOR

Date 3/12/69

Time 3:15 p.m.