

WEST VIRGINIA LEGISLATURE

REGULAR SESSION, 1969

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ENROLLED

SENATE BILL NO. 190

(By Mr. McKinn)

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PASSED March 7, 1969

In Effect Ninety days from Passage

#190

FILED IN THE OFFICE  
JOHN D. ROCKEFELLER, IV  
SECRETARY OF STATE  
THIS DATE 3-17-69

**ENROLLED**  
**Senate Bill No. 190**  
**(By MR. MCKOWN)**

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[Passed March 7, 1969; in effect ninety days from passage.]

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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  
2 of the following:

3 (a) All persons, except new entrants, employed as  
4 teachers at the time they become eligible for member-  
5 ship who, within a year after becoming eligible for mem-  
6 bership, notify the retirement board in writing of their  
7 decision to become members. Any such persons who  
8 fail to notify the board shall automatically be consti-  
9 tuted members one year after they become eligible,  
10 unless the retirement board receives written notice from  
11 them declining membership in the system.

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

14 The membership of any person in the retirement sys-  
15 tem shall cease:

16 (1) Upon the withdrawal of his accumulated con-  
17 tributions after the cessation of teaching service, or (2)  
18 upon retirement, or (3) at death, or (4) if service amounts  
19 to less than five years in any period of ten consecutive

20 years. For the sole purpose of preventing loss of mem-  
21 bership under subdivision four, a deposit by the member  
22 to his individual account in the teachers accumulation  
23 fund of an amount equalling his last annual contribution  
24 shall be the amount necessary to maintain membership  
25 status for a period of one year.

26 Any former member of the retirement system who  
27 has withdrawn his accumulated contributions but sub-  
28 sequently reenters the retirement system shall be per-  
29 mitted to repay to the retirement fund the amount  
30 withdrawn, plus payment for absence as provided herein,  
31 and shall be accorded all the rights to prior service and  
32 experience as he held at the time of withdrawal of such  
33 accumulated contributions.

34 Any person in subdivision (a) of this section who  
35 elects to become a member after having declined to  
36 accept membership, shall be permitted to enter the re-  
37 tirement system, but shall be accorded only the rights  
38 of a new entrant, unless he deposits in the reserve fund  
39 twenty-five dollars for each year of his prior service.  
40 After making such a deposit, he shall be deemed a present

41 teacher, and may elect to contribute retroactively to  
42 retirement account for those years, if any, during which  
43 he served as a teacher but elected not to contribute. No  
44 member shall be eligible for prior service credit unless  
45 he is eligible for prior service pension, as prescribed by  
46 section twenty-two of this article; however, a new entrant  
47 who becomes a present teacher as provided in this  
48 paragraph shall be deemed eligible for prior service  
49 pension upon retirement.

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

*William Tamm*  
Chairman Senate Committee

*Clayton C. Raudsepp*  
Chairman House Committee

Originated in the Senate.

To take effect 90 days from passage.

*J. Samuel Thayer*  
Clerk of the Senate

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

*Stephen Jackson*  
President of the Senate

*Wm. F. Brimley*  
Speaker House of Delegates

The within approved this the 17<sup>th</sup>  
day of March, 1969.

*Arch. H. Shaver Jr.*  
Governor



PRESENTED TO THE  
GOVERNOR

Date 3/13/69

Time 3:15 p.m.