

WEST VIRGINIA LEGISLATURE

REGULAR SESSION, 1973

ENROLLED

SENATE BILL NO. 24

(By Mr. *Brotherton*, Mr. President,
and Mr. *Hubbard*)

PASSED April 13, 1973

In Effect 90 Days from Passage

FILED IN THE OFFICE
EDGAR F. WEISKELL III
SECRETARY OF STATE
THIS DATE 5/3/73

24

ENROLLED
Senate Bill No. 24

(By Mr. Brotherton, Mr. President, and Mr. Hubbard)

[Passed April 13, 1973; in effect ninety days from passage.]

AN ACT to amend and reenact section seven, article nine, chapter fifty-one of the code of West Virginia, one thousand nine hundred thirty-one, as amended, relating to ineligibilities of retired judges to receive pay or benefits under the state judges' retirement system.

Be it enacted by the Legislature of West Virginia:

That section seven, 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.

§51-9-7. Ineligibility to receive pay or benefits.

1 A judge who retires under the provisions of any section
2 of this article and accepts the pay or benefits payable under
3 this article shall not, while receiving said pay or benefits,
4 be permitted to hold any public office or trust for which he
5 receives compensation from the state of West Virginia. If,
6 after retirement under the provisions of this article, he
7 shall be elected or appointed to any public office or trust
8 for which he receives any salary or other compensation
9 from the state of West Virginia, his pay or benefits under
10 this article shall be suspended for such time only as he shall
11 occupy such office or trust.

12 A judge who retires because of disability and accepts
13 the pay or benefits payable under this article because of his
14 disability shall not, while receiving said pay or benefits be-

15 cause of his disability, be permitted to practice law. If, after
16 disability retirement under the provisions of this article and
17 while receiving pay or benefits payable under said article
18 because of his disability, he shall enter the practice of law,
19 his pay or benefits under this article because of his disability
20 shall be suspended for such time only as he shall be en-
21 gaged in the practice of law.

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

H. David Darby
Chairman Senate Committee

Clarence C. Christian, Jr.
Chairman House Committee

Originated in the Senate.

To take effect ninety days from passage.

Howard W. Carson
Clerk of the Senate

C. A. Blankenship
Clerk of the House of Delegates

W. T. Brotherton, Jr.
President of the Senate

Lewis F. McManus
Speaker House of Delegates

The within *approved* this the *27th*
day of *April*, 1973.

Hubert H. Hanes, Jr.
Governor

PRESENTED TO THE
GOVERNOR

RECEIVED

Date 4/27/73

Time 10:39 a.m.

MAY 3 9 35 AM '73

OFFICE OF
SECRETARY OF STATE
STATE OF WEST VIRGINIA