

WEST VIRGINIA LEGISLATURE

REGULAR SESSION, 1974

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ENROLLED

HOUSE BILL No. 1015

(By Mr. Greer and Mr. Donley)

— ● —

PASSED March 9, 1974

In Effect July 1, 1974 Passage



FILED IN THE OFFICE

FRANCIS F. HARRIS

CLERK OF THE HOUSE

THIS DATE 3-27-74

1015

**ENROLLED**

**H. B. 1015**

(By MR. GREER and MR. DONLEY)

[Passed March 9, 1974; in effect July 1, 1974.]

AN ACT to amend and reenact section twenty-three, article seven-a, chapter eighteen of the code of West Virginia, one thousand nine hundred thirty-one, as amended, relating to withdrawal and death benefits of the state teachers retirement system; qualification of the surviving spouse for monthly benefits.

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

That section twenty-three, 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-23. Withdrawal and death benefits.**

1 Benefits upon withdrawal from service prior to retirement  
2 under the provisions of this article shall be as follows:

3 (a) A contributor who withdraws from service as a  
4 teacher for any cause other than death or retirement shall,  
5 on demand, be paid his accumulated contributions plus refund  
6 interest up to but not including the date of his last contri-  
7 bution, if he is then no longer under contract, verbal or other-  
8 wise, to serve as a teacher; or

9 (b) If such contributor has completed twenty years of total  
10 service he may elect to receive at retirement age an annuity  
11 which shall be computed as provided in this article. The con-

12 tributor must notify the retirement board in writing concerning  
13 such election.

14 Benefits upon the death of a contributor prior to retirement  
15 under the provisions of this article shall be paid as follows:

16 (1) If the contributor was at least fifty years old, and if  
17 his total service as a teacher was at least twenty-five years at  
18 the time of his death, then the surviving spouse of the deceased,  
19 provided said spouse is designated as the refund beneficiary,  
20 shall be deemed eligible for an annuity which shall be computed  
21 as though the deceased were actually a retired teacher at the  
22 time of death, and had selected a survivorship option which  
23 pays such spouse the same monthly amount which would have  
24 been received by the deceased; or

25 (2) If the facts do not permit payment under the preceding  
26 paragraph (1), then the following sum shall be paid to the  
27 refund beneficiary of the contributor: His accumulated con-  
28 tributions with refund interest up to the year of his death  
29 plus the amount of his accumulated contributions. The latter  
30 sum shall emanate from the employers accumulation fund.

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

H. Daniel Darty  
Chairman Senate Committee

Charles C. Christian  
Chairman House Committee

Originated in the House.

Takes effect July 1, 1974.

Howard W. Carson  
Clerk of the Senate

C. Blankenship  
Clerk of the House of Delegates

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

Louis H. McManis  
Speaker House of Delegates

The within approved this the 26th  
day of March, 1974.

Arch A. Phares, Jr.  
Governor



PRESENTED TO THE  
GOVERNOR

Date 3/19/74  
Time 2:35 p.m.