WEST VIRGINIA LEGISLATURE
REGULAR SESSION, 1986

ENROLLED

HOUSE BILL No. 1337

(By Mr. Del. Beinest & Del. Haynes)

Passed __________________________ March 8, 1986

In Effect __________________________ July 1, 1986
AN ACT to amend and reenact section twenty-four, article twenty-two, chapter eight of the code of West Virginia, one thousand nine hundred thirty-one, as amended, relating to providing for additional disability pension benefits for policemen and firemen at the rate of one percent per year of military service up to a maximum of four percent.

Be it enacted by the Legislature of West Virginia:

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

ARTICLE 22. RETIREMENT BENEFITS GENERALLY; POLICE-MEN'S PENSION AND RELIEF FUND; FIRE-MEN'S PENSION AND RELIEF FUND; PENSION PLANS FOR EMPLOYEES OF WATERWORKS SYSTEM, SEWERAGE SYSTEM OR COMBINED WATERWORKS AND SEWERAGE SYSTEM.


1 (a) The monthly sum to be paid to each member eligible for disability under the provisions of section twenty-three-a of this article, shall be equal to sixty percent of the monthly salary being received by such member, at the time he is so disabled, or the sum of five hundred dollars per month, whichever shall be greater:
Provided, That the limitation provided in subsection (b)
of this section is not exceeded.

(b) Effective for any member who becomes eligible for
disability benefits on or after the first day of July, one
thousand nine hundred eighty-one, under the provisions
of section twenty-three-a of this article, as a proximate
result of service rendered in the performance of his
duties within such departments, his monthly disability
payment as provided in subsection (a) of this section
shall not, when aggregated with the monthly amount of
state workers' compensation, result in such disabled
member receiving a total monthly income from such
sources in excess of one hundred percent of the basic
compensation which is paid to members holding the
same position which such member held within such
department at the time of his disability. Lump sum
payments of state workers' compensation benefits shall
not be considered for purposes of this subsection unless
such lump sum payments represent commuted values of
monthly state workers' compensation benefits.

(c) Any member who has served on active duty with
the armed forces of the United States as described in
section twenty-seven of this article, whether prior or
subsequent to becoming a member of a paid police or
fire department covered by the provisions of this article,
and who, on the first day of July, one thousand nine
hundred eighty-six, is receiving or thereafter receives a
disability pension, shall receive in addition to the sixty
percent or minimum five hundred dollars authorized in
subsection (a) of this section, one additional percent for
each year served in active military duty, up to a
maximum of four additional percent.
The Joint Committee on Enrolled Bills hereby certifies that the foregoing bill is correctly enrolled.

Bruce W. Wilcox
Chairman Senate Committee

Floyd Fuller
Chairman House Committee

Originating in the House.

Takes effect July 1, 1986.

Taddeus Hecht
Clerk of the Senate

Donald Yoho
Clerk of the House of Delegates

Dan Tomlinson
President of the Senate

Joseph P. Altavista
Speaker of the House of Delegates

The within __________ approved this the __________ day of __________, 1986.

Ruth strain
Governor