

No: 1837

WEST VIRGINIA LEGISLATURE

REGULAR SESSION, 1986

— ● —

ENROLLED

HOUSE BILL No. 1837

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

— ● —

Passed March 8, 1986

In Effect July 1, 1986 ~~Passage~~

ENROLLED
H. B. 1837

(By DELEGATE SEACRIST and DELEGATE 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; POLICEMEN'S PENSION AND RELIEF FUND; FIREMEN'S PENSION AND RELIEF FUND; PENSION PLANS FOR EMPLOYEES OF WATERWORKS SYSTEM, SEWERAGE SYSTEM OR COMBINED WATERWORKS AND SEWERAGE SYSTEM.

§8-22-24. Disability pensions.

1 (a) The monthly sum to be paid to each member
2 eligible for disability under the provisions of section
3 twenty-three-a of this article, shall be equal to sixty
4 percent of the monthly salary being received by such
5 member, at the time he is so disabled, or the sum of five
6 hundred dollars per month, whichever shall be greater:

7 *Provided*, That the limitation provided in subsection (b)
8 of this section is not exceeded.

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

27 (c) Any member who has served on active duty with
28 the armed forces of the United States as described in
29 section twenty-seven of this article, whether prior or
30 subsequent to becoming a member of a paid police or
31 fire department covered by the provisions of this article,
32 and who, on the first day of July, one thousand nine
33 hundred eighty-six, is receiving or thereafter receives a
34 disability pension, shall receive in addition to the sixty
35 percent or minimum five hundred dollars authorized in
36 subsection (a) of this section, one additional percent for
37 each year served in active military duty, up to a
38 maximum of four additional percent.

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

Bruce O. Williams
Chairman Senate Committee

Floyd Fuller
Chairman House Committee

Originating in the House.

Takes effect July 1, 1986.

Todd C. Withers
Clerk of the Senate

Donald J. Kopp
Clerk of the House of Delegates

Dan Tombs
President of the Senate

Joseph P. Allright
Speaker of the House of Delegates

The within *appears* this the *26th*
day of *March*, 1986.

Arthur A. Brown Jr.
Governor

FR...

GOVERN...

Date 3/21/86

Time 4:56 p.m.

RECEIVED

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DEPARTMENT OF STATE
SECRETARIAT OF STATE

FILED IN THE OFFICE OF
SECRETARY OF STATE OF
WEST VIRGINIA

THIS DATE 3/26/86