WEST VIRGINIA LEGISLATURE
REGULAR SESSION, 1989

ENROLLED

HOUSE BILL No. 2322

(By Mr. Delegate Seacrist)

Passed April 8, 1989

In Effect Ninety Days From Passage

1989 APR 27 BILL 4: 51
OFFICE OF SECRETARY OF STATE W.VA.
AN ACT to amend and reenact section three, article ten-c, chapter five of the code of West Virginia, one thousand nine hundred thirty-one, as amended, relating to contributions paid public employees who are members of the firemen's pension and relief fund and policemen's pension and relief fund.

Be it enacted by the Legislature of West Virginia:

That section three, article ten-c, chapter five of the code of West Virginia, one thousand nine hundred thirty-one, as amended, be amended and reenacted to read as follows:

ARTICLE 10C. GOVERNMENT EMPLOYEES RETIREMENT PLANS.

§5-10C-3. Definitions.

1 The following words and phrases as used in this article, unless a different meaning is clearly indicated by the context, shall have the following meanings:

4 (1) "Accumulated contributions" means the sum of all amounts credited to a member's individual account in the members' deposit fund and includes both contributions deducted from the compensation of a member and contributions of a member picked up and paid by the member's participating public employer, plus applicable interest thereon.

11 (2) "Board of trustees" means, as appropriate: The
board of trustees of the West Virginia public employees retirement system created in article ten, chapter five of this code; the retirement board of the West Virginia department of public safety death, disability and retirement fund created in section twenty-six, article two, chapter fifteen of this code; the retirement board of the state teachers and board of regents retirement system created in article seven-a, chapter eighteen of this code; the governing board of the board of regents supplemental and additional retirement plans created in section four-a, article twenty-three, chapter eighteen of this code; the retirement board of the judges' retirement system created in article nine, chapter fifty-one of this code; or the board of trustees of the firemen's and policemen's pension and relief funds created in article twenty-two, chapter eight of this code.

(3) "Employee" means any person, whether appointed, elected, or under contract, providing services for a public employer, for which compensation is paid and who is a member of the retirement system.

(4) "Member" means any employee who is included in a retirement system.

(5) "Member contributions" means, as appropriate: The contributions required by section twenty-nine, article ten, chapter five of this code, from employees who are members of the West Virginia public employees retirement system; the contributions required by section twenty-six, article two, chapter fifteen of this code, from employees who are members of the West Virginia department of public safety death, disability and retirement fund; the contributions required by section fourteen, article seven-a, chapter eighteen of this code, from employees who are members of the state teachers retirement system; the contributions authorized by section fourteen-a, article seven-a, chapter eighteen or by section four-a, article twenty-three, chapter eighteen, from employees who are members of the West Virginia board of regents retirement plans; the contributions required by section four, article nine, chapter fifty-one of this code, from employees who are members of the judges' retirement system; or the contributions required
by section sixteen, article twenty-two, chapter eight of this code, from employees who are members of the firemen's and policemen's pension and relief funds.

(6) "Participating public employer" means the state of West Virginia, any board, commission, department, institution or spending unit, and shall include any agency created by rule of the supreme court of appeals having full-time employees, which for the purpose of this article shall be deemed a department of state government, and county boards of education with respect to teachers employed by them; any political subdivision in the state which has elected to cover its employees, as defined in this article, under the West Virginia public employees retirement system; and any political subdivision in this state which is subject to the provisions of article twenty-two, chapter eight of this code.

(7) "Political subdivision" means the state of West Virginia, a county, city or town in the state; a school corporation or corporate unit; any separate corporation or instrumentality established by one or more counties, cities or towns, as permitted by law; any corporation or instrumentality supported in most part by counties, cities or towns; any public corporation charged by law with the performance of a governmental function and whose jurisdiction is coextensive with one or more counties, cities or towns, any agency or organization established by, or approved by the department of health for the provision of community health or mental retardation services, and which is supported in part by state, county or municipal funds.

(8) "Retirement system" means, as appropriate: The West Virginia public employees retirement system created in article ten, chapter five of this code; the West Virginia department of public safety death, disability and retirement fund created in sections twenty-six through thirty-eight, article two, chapter fifteen of this code; the state teachers retirement system created in article seven-a, chapter eighteen of this code; the West Virginia board of regents retirement plans created in section fourteen-a, article seven-a, chapter eighteen and
section four-a, article twenty-three, chapter eighteen of this code; the judges' retirement system created in article nine, chapter fifty-one of this code; the firemen's pension and relief fund created in section sixteen, article twenty-two, chapter eight; of this code or the policemen's pension and relief fund created in section sixteen, article twenty-two, chapter eight of this code.

(9) "Teacher" shall have the meaning ascribed to it in section three, article seven-a, chapter eighteen of this code.
The Joint Committee on Enrolled Bills hereby certifies that the foregoing bill is correctly enrolled.

Chairman Senate Committee

Chairman House Committee

Originating in the House.

Takes effect ninety days from passage.

Clerk of the Senate

Clerk of the House of Delegates

President of the Senate

Speaker of the House of Delegates

The within is approved this the 27th day of April, 1989.

Governor