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OFFICE OF WEST VIRGINIA
SECRETARY OF STATE

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

ENROLLED
H. B. 2322

(By DELEGATE SEACRIST)

[Passed April 8, 1989; in effect ninety days from passage.]

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
2 article, unless a different meaning is clearly indicated
3 by the context, shall have the following meanings:

4 (1) "Accumulated contributions" means the sum of all
5 amounts credited to a member's individual account in
6 the members' deposit fund and includes both contribu-
7 tions deducted from the compensation of a member and
8 contributions of a member picked up and paid by the
9 member's participating public employer, plus applica-
10 ble interest thereon.

11 (2) "Board of trustees" means, as appropriate: The

12 board of trustees of the West Virginia public employees
13 retirement system created in article ten, chapter five of
14 this code; the retirement board of the West Virginia
15 department of public safety death, disability and
16 retirement fund created in section twenty-six, article
17 two, chapter fifteen of this code; the retirement board
18 of the state teachers and board of regents retirement
19 system created in article seven-a, chapter eighteen of
20 this code; the governing board of the board of regents
21 supplemental and additional retirement plans created in
22 section four-a, article twenty-three, chapter eighteen of
23 this code; the retirement board of the judges' retirement
24 system created in article nine, chapter fifty-one of this
25 code; or the board of trustees of the firemen's and
26 policemen's pension and relief funds created in article
27 twenty-two, chapter eight of this code.

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

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

34 (5) "Member contributions" means, as appropriate:
35 The contributions required by section twenty-nine,
36 article ten, chapter five of this code, from employees
37 who are members of the West Virginia public employees
38 retirement system; the contributions required by section
39 twenty-six, article two, chapter fifteen of this code, from
40 employees who are members of the West Virginia
41 department of public safety death, disability and
42 retirement fund; the contributions required by section
43 fourteen, article seven-a, chapter eighteen of this code,
44 from employees who are members of the state teachers
45 retirement system; the contributions authorized by
46 section fourteen-a, article seven-a, chapter eighteen or
47 by section four-a, article twenty-three, chapter eighteen,
48 from employees who are members of the West Virginia
49 board of regents retirement plans; the contributions
50 required by section four, article nine, chapter fifty-one
51 of this code, from employees who are members of the
52 judges' retirement system; or the contributions required

53 by section sixteen, article twenty-two, chapter eight of
54 this code, from employees who are members of the
55 firemen's and policemen's pension and relief funds.

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

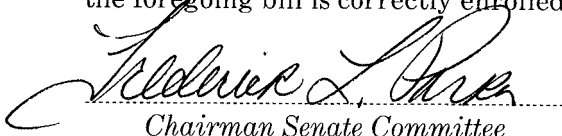
70 (7) "Political subdivision" means the state of West
71 Virginia, a county, city or town in the state; a school
72 corporation or corporate unit; any separate corporation
73 or instrumentality established by one or more counties,
74 cities or towns, as permitted by law; any corporation or
75 instrumentality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

84 (8) "Retirement system" means, as appropriate: The
85 West Virginia public employees retirement system
86 created in article ten, chapter five of this code; the West
87 Virginia department of public safety death, disability
88 and retirement fund created in sections twenty-six
89 through thirty-eight, article two, chapter fifteen of this
90 code; the state teachers retirement system created in
91 article seven-a, chapter eighteen of this code; the West
92 Virginia board of regents retirement plans created in
93 section fourteen-a, article seven-a, chapter eighteen and

94 section four-a, article twenty-three, chapter eighteen of
95 this code; the judges' retirement system created in
96 article nine, chapter fifty-one of this code; the firemen's
97 pension and relief fund created in section sixteen, article
98 twenty-two, chapter eight; of this code or the policemen's
99 pension and relief fund created in section sixteen, article
100 twenty-two, chapter eight of this code.

101 (9) "Teacher" shall have the meaning ascribed to it in
102 section three, article seven-a, chapter eighteen of this
103 code.

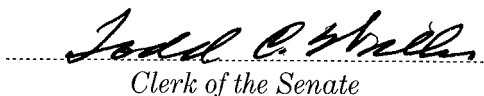
The Joint Committee on Enrolled Bills hereby certifies that the foregoing bill is correctly enrolled.


Chairman Senate Committee

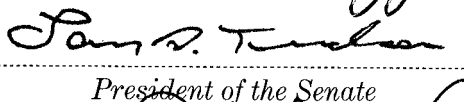

Chairman House Committee

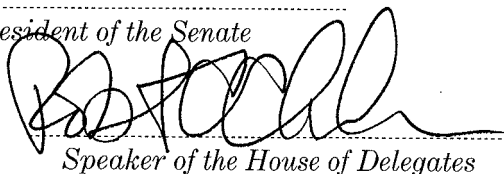
Originating in the House.

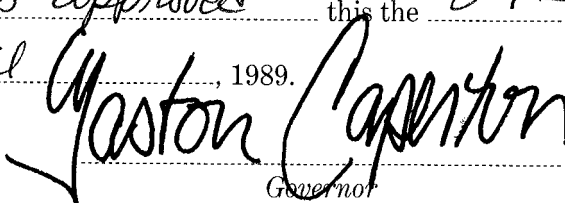
Takes effect ninety days from passage.


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

PRESENTED TO THE

GOVERNOR

Date 4/24/89

Time 5:06