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2002 APR -3 P 5:40

CLERK OF WEST VIRGINIA
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WEST VIRGINIA LEGISLATURE

SECOND REGULAR SESSION, 2002

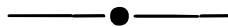


ENROLLED

COMMITTEE SUBSTITUTE
FOR

House Bill No. 4579

(By Delegates Campbell, J. Smith,
Keener, Hubbard and Browning)



Passed March 9, 2002

In Effect Ninety Days from Passage

FILED

2002 APR -3 P 5:41

WEST VIRGINIA
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FOR

H. B. 4579

(BY DELEGATES CAMPBELL, J. SMITH,
KEENER, HUBBARD AND BROWNING)

[Passed March 9, 2002; in effect ninety days from passage.]

AN ACT to amend and reenact section thirteen-a, article seven-a, chapter eighteen of the code of West Virginia, one thousand nine hundred thirty-one, as amended, relating to clarifying that a retired public school teacher may be employed as a higher education teacher without loss of benefits.

Be it enacted by the Legislature of West Virginia:

That section thirteen-a, 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-13a. Resumption of service by retired teachers.

1 For the purpose of this section, reemployment of a former
2 or retired teacher as a teacher shall in no way impair such
3 teacher's eligibility for a prior service pension, or any other
4 benefit provided by this article.

5 Retired teachers, who qualified for an annuity because of
6 age or service, may not receive prior service allowance from the
7 retirement board when employed as a teacher and when
8 regularly employed by the state of West Virginia. The payment
9 of such allowance shall be discontinued on the first day of the
10 month within which such employment begins, and shall be
11 resumed on the first day of the month succeeding the month
12 within which such employment ceases. The annuity paid any
13 such teacher on first retirement resulting from the teachers'
14 accumulation fund and the employers' accumulation fund shall
15 continue throughout the governmental service and thereafter
16 according to the option selected by the teacher upon first
17 retirement.

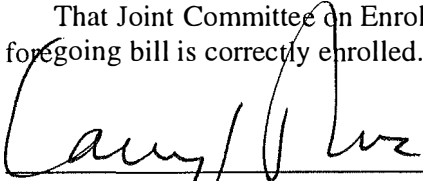
18 Retired teachers, who qualified for an annuity because of
19 disability, shall receive no further retirement payments, if the
20 retirement board finds that the disability of the teacher no
21 longer exists; payment shall be discontinued on the first day of
22 the month within which such finding is made. If such retired
23 teacher returns to service as a teacher, he shall contribute to the
24 teachers' accumulation fund as a member of the system. His
25 prior service eligibility, if any, shall not be impaired because of
26 his disability retirement. His accumulated contributions and
27 interest which were transferred to the benefit fund upon his
28 retirement shall be returned to his individual account in the
29 teachers' accumulation fund, minus retirement payments
30 received which were not supported by such contributions and
31 interest. Upon subsequent retirement, he shall receive credit for
32 all of his contributory experience, anything to the contrary in
33 this article notwithstanding.

34 Notwithstanding any provision of this code to the contrary,
35 a person who retires under the system provided by this article
36 may subsequently become employed on either a full time, part
37 time basis or contract basis by any institution of higher educa-
38 tion without any loss of retirement annuity or retirement
39 benefits if the person's retirement commences between the
40 effective date of the enactment of this section in two thousand
41 two and the thirty-first day of December, two thousand two:
42 *Provided*, That such person shall not be eligible to participate
43 in any other state retirement system provided by this code.

44 The retirement board is herewith authorized to require of
45 the retired teachers and their employers such reports as it deems
46 necessary to effectuate the provisions of this section.

Enr. Com. Sub. for H. B. 4579] 4

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



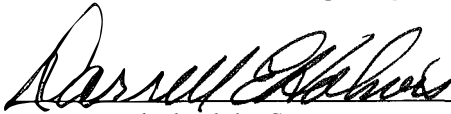
Chairman Senate Committee



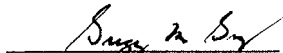
Chairman House Committee

Originating in the House.

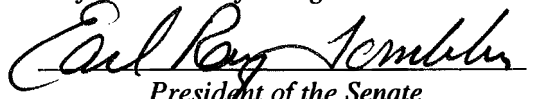
In effect ninety days from passage.



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 2nd
day of April, 2002.



Governor

3/6/02

3/6/02

D: J. K.