WEST VIRGINIA LEGISLATURE

Regular Session, 2002

ENROLLED

Committee Substitute For

SENATE BILL NO. 423

(By Senator Hunter, et al.)

PASSED March 9, 2002

In Effect ninety days from Passage
ENROLLED

COMMITTEE SUBSTITUTE

FOR

Senate Bill No. 423

(SENATORS HUNTER, OLIVERIO, EDGELL, CALDWELL, ROWE AND REDD, original sponsors)

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

AN ACT to amend article seven-a, chapter eighteen of the code of West Virginia, one thousand nine hundred thirty-one, as amended, by adding thereto a new section, designated section thirty-eight, relating to providing, for the purpose of receiving retirement benefits, that only the actual number of hours worked by a retirant who is substitute teaching are counted when determining the number of days worked.

Be it enacted by the Legislature of West Virginia:

That article seven-a, chapter eighteen of the code of West Virginia, one thousand nine hundred thirty-one, as amended, be amended by adding thereto a new section, designated section thirty-eight, to read as follows:
ARTICLE 7A. STATE TEACHERS RETIREMENT SYSTEM.

§18-7A-38. Calculating days worked for retirants engaged in substitute teaching.

(a) The Legislature finds that:

(1) The consolidated public retirement board has determined that retired substitute teachers should not perform substitute teaching without limit;

(2) The consolidated public retirement board has established, by rule, a maximum number of days in which a retired teacher may accept employment prior to having his or her retirement benefit reduced; and

(3) There have been inconsistencies in the manner in which county boards calculate the maximum number of days established by rule.

(b) For the purpose of calculating whether a retired substitute teacher has exceeded the maximum number of days in which a substitute teacher may accept employment without incurring a reduction in his or her retirement benefit, the number of days worked shall be determined by:

(1) Totaling the number of hours worked; and

(2) Dividing by the standard number of hours that a full-time teacher works per day.
The Joint Committee on Enrolled Bills hereby certifies that the foregoing bill is correctly enrolled.

Chairman Senate Committee

Chairman House Committee

Originated in the Senate.

In effect ninety days from passage.

Clerk of the Senate

Clerk of the House of Delegates

President of the Senate

Speaker House of Delegates

The within bill approved this the ....... Day of ... 2002.

Governor
PROMULGATED TO THE
GAVEWE
Date: 3rd Apr
Time: 9:35 am