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OFFICE WEST VIRGINIA
SECRETARY OF STATE

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

FILED

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OFFICE WEST VIRGINIA
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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.

1 (a) The Legislature finds that:

2 (1) The consolidated public retirement board has deter-
3 mined that retired substitute teachers should not perform
4 substitute teaching without limit;

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

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

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

18 (1) Totaling the number of hours worked; and

19 (2) Dividing by the standard number of hours that a full-
20 time teacher works per day.

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

[Signature]
.....
Chairman Senate Committee

[Signature]
.....
Chairman House Committee

Originated in the Senate.

In effect ninety days from passage.

[Signature]
.....
Clerk of the Senate

[Signature]
.....
Clerk of the House of Delegates

[Signature]
.....
President of the Senate

[Signature]
.....
Speaker House of Delegates

The within *is approved* this the *28th*
Day of *March*, 2002.

[Signature]
.....
Governor

PRESENTED TO THE

GOVERNOR

Date 3/22/02

Time 9:55 am